REPORT
OF
THE COMMITTEE ON PANCHAYATI RAJ ELECTIONS
1965

R.E.T.C. LIBRARY KOVILPATTI
P.68.
2777.
352.054
GOI

सत्यमेव जयते

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION
GOVERNMENT OF INDIA, NEW DELHI

L. 2777.

R.E.T.C. LIBRARY
P. 68.
2777.
KOVILPATTI.

CONTENTS

Section		Pages
I.	INTRODUCTORY	1—3
II.	HISTORICAL	4—6
III.	SOME GENERAL PRINCIPLES	7—8
IV.	THE VILLAGE PANCHAYAT	9—17
V.	PANCHAYAT SAMITI	18—24
VI.	ZILA PARISHAD	25—30
VII.	ASSOCIATION OF MEMBERS OF PARLIAMENT AND STATE LEGISLATURES WITH PANCHAYATI RAJ INSTITUTIONS	31—33
VIII.	REPRESENTATION FOR SPECIAL GROUPS	34—37
IX.	QUALIFICATIONS AND DISQUALIFICATIONS	38—42
X.	CONDUCT OF ELECTIONS	43—50
XI.	ROLE OF POLITICAL PARTIES	51—53
XII.	THE SCOPE FOR UNANIMITY IN PANCHAYATI ELECTIONS	54—56
XIII.	SUPERVISION AND CONTROL	57—61
XIV.	MISCELLANEOUS	62—65
XV.	CONCLUSION	66
	SUMMARY OF RECOMMENDATIONS AND SUGGESTIONS	67—78
	TABLE SHOWING THE PROPOSED COMPOSITION OF PANCHAYATI RAJ BODIES	79—80
APPENDICES		81—132

PT63

NISTRY OF

L. 2777.

R.E.T.C. LIBRARY
KOVILPATTI.

I. INTRODUCTORY

1.1. The Committee on the Methods of Elections to Panchayati Raj Bodies was constituted by the Government of India, Ministry of Community Development and Cooperation by the Resolution No. 16/5/64-PR, dated the 22nd February, 1964, which is as follows :—

Panchayati Raj, introduced first in Rajasthan and Andhra Pradesh in 1959, is now under implementation in 10 States. In Bihar, Madhya Pradesh and West Bengal, necessary legislation has been enacted and arrangements are under way for the establishment of the higher-tier institutions. The experience so far has underlined the significance of the relationship between the method of elections to the Panchayati Raj bodies and their democratic functioning. Different methods are now being followed in the States ranging from direct to indirect elections; there are also variations in the procedures for cooption and the reservation of seats for scheduled castes and tribes, women, etc. The pattern of association of Members of Parliament and State Legislature with the Panchayati Raj bodies is also not uniform.

2. These and other allied matters have been exercising the mind of the Government for some time. The Government of India have accordingly decided to set up a committee to study the methods of elections being followed in the various States and other related matters and to make detailed recommendations.

3. The composition of the Committee will be as follows :—

Chairman :

Shri K. Santhanam, Member, Rajya Sabha.

Members :

(1) Shri P. Govinda Menon, M.P.

(2) Shri T. H. Sonavane, M.P.

(3) Shri Rajeshwar Patel, M.P.

(4) Shri V. B. Raju.

(5) Miss Maya Banerjee, M.L.A., West Bengal.

(6) Dr. J. N. Khosla, Director, I.I.P.A., New Delhi.

4. The following will be the terms of reference of the Committee :—

To study the different methods of elections to the Panchayati Raj bodies being followed in the States with special reference to the methods and procedures which have been conducive to the vigorous and healthy growth of Panchayati Raj and to make recommendations on the following :—

(i) the strength and composition of and the method of elections to the Panchayati Raj bodies at the village, block and district levels as can ensure the democratic and efficient functioning of these bodies and the evolution of a harmonious and coordinated pattern of representative institutions;

(ii) the need for cooption, the categories to which cooption should be applied, the manner of its application and other related matters;

(iii) the measures for ensuring adequate and effective representation to the weaker sections on these bodies;

(iv) the method of election of office-bearers of these bodies;

(v) the association of the Members of Parliament and State Legislatures with the Panchayati Raj bodies;

(vi) the terms of membership and the periodicity of elections to Panchayati Raj bodies;

(vii) how far unanimity in elections is practicable consistent with the growth of democratic processes;

(viii) whether and to what extent political parties should participate in Panchayati Raj elections; and

(ix) the measures required to ensure free and fair elections to the Panchayati Raj bodies and the desirability of setting up a State level Commission for the purpose.

5. The Committee should submit its report by the 31st December, 1964.

6. The Headquarters of the Committee shall be New Delhi. The Committee may undertake tours as and when necessary and may also meet such persons who may have expert knowledge on the subject.

1.2. The first meeting of the Committee was held on the 28th and 29th March, 1964. We discussed our plan of work and also finalised a questionnaire to be sent out to all State Governments and other institutions interested in Panchayati Raj. The State Governments were also addressed to suggest a suitable Zila Parishad, two Panchayat Samitis within that Parishad and two Panchayats in each of the selected Samitis for the purpose of a visit by the Committee. A copy of the letter addressed to the State Governments is at Appendix I.

1.3. The Committee's work was delayed at the start because Shri R. Raghunathan, who was appointed as the Secretary of the Committee was unable to join and had to be replaced. The new Secretary joined only in June, 1964. The State Governments also took considerable time to send their replies to the questionnaire which caused further delay. Owing to these reasons, it became necessary to request for an extention of time till 31st March, 1965.

1.4. One of the members, Shri Govinda Menon attended the first meeting, but, on account of other preoccupations, was unable to participate further, in the work of the Committee.

1.5. During the period August 1964—March 1965, we toured the States of Andhra Pradesh, Assam, Gujarat, Himachal Pradesh, Kerala, Madras, Maharashtra, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal. During the tours in the States we met the members and office bearers of Panchayats, Panchayat Samitis and Zila Parishads and also had discussions in each State with the Minister and officers concerned and in some States with the Chief Minister and other Ministers. The Committee also met prominent workers interested in Panchayati Raj and representatives of certain institutions like Panchayati Raj Parishads in the various States. A list of the institutions representatives of which met us, is given in Appendix II.

1.6. It may be mentioned here that in 3 States (Jammu and Kashmir, Kerala and Madhya Pradesh) the higher tier Panchayati Raj bodies had not been set up at all; while in two others (Bihar and West Bengal) they were just being set up. In a number of other States, these bodies were running their very first term. Ample material was, however, available to us, both in the form of answers to the questionnaire and views expressed during the course of our tours, so as to enable us to formulate our conclusions and make recommendations.

1.7. We have not considered it necessary to go into the entire history of village Panchayats. After giving, in the next Section, a short historical account of rural local self-government institutions during the British regime and the constitution of Panchayats and higher Panchayati Raj bodies after independence, we have outlined (Section III) some general principles that have guided us in making our recommendations. From Section IV onwards we have discussed the various issues referred to us in the terms of reference. The Report assumes a general knowledge of the structure of Panchayati Raj bodies but for ready reference, a brief account of their composition, etc., in the various States is given in Appendices III to VI.

1.8. It will be seen (Appendix III) that the nomenclature for the Panchayati Raj bodies and their office bearers is different in different States. It will be convenient, if a common set of terms in English and Hindi can be adopted by agreement in all the States. For the purpose of this Report, we refer to the elected executive body at the village level as the Village Panchayat, the next higher body at the Block or Taluk level as the Panchayat Samiti and the highest body at the district or sub-divisional level as the Zila Parishad. The presiding officers of these three bodies will be referred to as the Sarpanch, Chairman and President respectively.

1.9. We have excluded the Nyaya Panchayats from our present study. These institutions have been studied in great detail in 1960-62 by a Study Team set up by the Ministry of Law under the Chairmanship of Shri G. R. Rajagopaul. The Report of this Team was out in April, 1962 and it has made detailed recommendations on the composition and methods of elections to these bodies.

1.10. We are deeply indebted to all the State Governments for their cordial cooperation and hospitality during our visits as well as for the supply of the detailed information that we required. Our thanks are also due to the Panchayati Raj institutions and their office bearers—both officials and non-officials—who gave us the benefit of their views on the various aspects of the subject under enquiry.

1.11. This Committee has had to work with a minimum complement of staff. Besides Shri Shiromani Sharma, the Secretary, and Shri R. C. Mehra, Assistant, we had only two Stenographers, one typist and one peon. During the tours, only one or two of them accompanied the Committee. Thus, all the staff had to do their work under much strain. They have all done it cheerfully and we are glad to place on record our appreciation of their services.

1.12. Much of the burden of the work of the Committee had to fall exclusively on the Secretary, Shri Shiromani Sharma. We are deeply grateful to him for the energy, devotion and ability which he brought to the work of the Committee and contributed materially to the Report.

II. HISTORICAL

2.1. The present structure and pattern of Panchayati Raj institutions in the various States has been considerably influenced by the local government institutions set up during the British regime. The starting point of local self-government in India, as we know it at present, was the setting up of District funds and District Committees with the District Magistrate as Chairman to administer land revenue cesses (1869–1871). In Bengal, however, smaller units of local government were also set up at that time under the Bengal Chowkidari Act, 1870. The country-side was divided into 'unions' comprising about 10 to 12 square miles and these areas were placed under 'Panchayats' which raised funds to pay for the village police or chowkidars.

2.2. The next land mark is the Resolution of Lord Ripon of 18th May, 1882. It urged that rural boards should be set up with the unit of administration at the sub-divisional or taluk (tehsil) level and a supervisory and coordinating body at the district level. Following this resolution, legislation was taken up in almost all the provinces between 1883 to 1885 creating a two-tier system with district boards and sub-divisional or taluk boards. However, all the provinces except Assam, the Central Provinces and Madras, entrusted the district board with all the funds and functions and the Taluk Boards had only minor significance. Assam with its mountains and isolated valleys never set up district boards but constituted sub-divisional boards as the units of rural self-government. Madras made a statutory division of powers and resources between District Boards and Taluk Boards. Only the Central Provinces carried out Ripon's instructions in full by vesting them mainly in the Taluk Boards.

2.3. By the time the Royal Commission on Decentralisation was appointed in 1907, the Taluka Boards had lost whatever importance they had and were abolished in certain provinces. The Commission again insisted that these boards should be universally established and made the principal local bodies. It attributed their past failures to paucity of funds and therefore recommended that these boards should get 50 per cent of the income then accruing to the district boards. Little action was taken on these recommendations.

2.4. The Decentralisation Commission had also recommended that local government must be based on active village councils. A pilot scheme of such councils was launched by the Government of India in 1912. The results, in general, were discouraging and the scheme was dropped. However, in 1919-20, five major provinces enacted legislation to constitute village authorities. They were of different types. Some provinces stressed the need for viability and grouped villages for this purpose. Others sought to follow the traditional pattern and constituted councils for small villages.

2.5. After the Montague-Chelmsford Reforms, ministers took over the responsibility for local self-government late in 1920 or early in 1921. During the years of dyarchy (1920—1937) there was much political and communal interest in local affairs but there was no radical change in the pattern of local government. An innovation of this era was the attempt in several provinces to set up independent authorities parallel to district boards

to take over responsibility for primary and lower secondary education. However, most of these did not survive dyarchy and the new provincial governments set up under the Government of India Act, 1935, abolished them. The Taluka Boards shared the same fate.

2.6. Mahatma Gandhi had always emphasised the importance of the village Swaraj. His concept was that—

> "the Government of the village will be conducted by a Panchayat of five persons, annually elected by the adult villagers, male and female, possessing minimum prescribed qualifications. It will have all the authority and jurisdiction required. Since there will be no system of punishments in the accepted sense, this panchayat will be the legislative, judiciary and executive combined, to operate for its year of office."

The Constitution of village Panchayats became an important item in the programme of the Indian National Congress during the struggle for freedom.

2.7. This question was taken up in the Constituent Assembly which, however, was not able to deal with it in any detail. But a Directive Principle of State Policy was inserted as Article 40 of the Constitution of India in the following terms :—

> "The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."

2.8. In pursuance of this directive, legislation on panchayats was passed and village Panchayats set up in almost all the States between 1947-56. It cannot be claimed, however, that the Panchayats created by the various Acts were endowed with adequate powers and functions.

2.9. The introduction of the Community Development programme in 1952 brought to rural India new plan and agency for development. It started with the idea of concentrated effort in selected areas but the programme was soon extended to cover the whole country. Rural India was divided into blocks, more or less of a uniform size and each block was provided with National Extension Service staff of extension officers and village level workers on a common pattern. Thus, the Block emerged as a new unit of development administration covering an area comprising many villages but smaller than the Taluka.

2.10. In 1957, the Planning Commission, finding that the programme was not attracting sufficient popular support, appointed a Study Team headed by Mr. Balwantray Mehta to go into the working of the Community Development Programme. One of the terms of reference of this Committee was to examine the question of the reorganisation of the district administration to provide for popular organisations between the village and State levels. The Study Team recommended the setting up of elected and organically linked democratic bodies at the village, block and district levels. It is of interest to note that the Team, like the Ripon Resolution of 1882 and the Decentralisation Commission of 1909, recommended that the body at the district level should only coordinate and advise and that the executive functions should be entrusted to the Block level institution.

2.11. This recommendation was accepted by the National Development Council and in 1959 the Central Council of Local Self-Government, while taking stock of the action taken by the States in this direction, recommended that—

"While the broad pattern and the fundamentals may be uniform, there should not be any rigidity in the pattern. In fact, the country is so large and Panchayati Raj (Democratic Decentralisation) is so complex a subject with far-reaching consequences, that there is the fullest scope of trying out various patterns and alternatives. What is most important is the genuine transfer of power to the people. If this is ensured, form and pattern may necessarily vary according to conditions prevailing in different States."

This recommendation has largely determined the policy of the Government of India in the matter and accordingly the States have been left to exercise their autonomy to the fullest extent. Looking back it appears to us that it would have been better for the country if efforts had been made to enable the States to evolve jointly a general pattern in which the essential features would have been uniform, local adaptations being allowed in matters of detail.

2.12. Panchayati Raj is at present under implementation in eleven States in the country, namely, Andhra Pradesh, Assam, Gujarat, Madras, Maharashtra, Mysore, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal. In Bihar, Panchayati Raj institutions have so far been set up only in some districts. In Madhya Pradesh, the necessary legislation has been passed and arrangements are underway for setting up the institutions. In Jammu and Kashmir and Kerala, legislation has to be passed for Panchayat Samitis and Zila Parishads. Every State Government has worked out its own pattern of Panchayati Raj. Even the size and the population of the village Panchayats vary widely from State to State and often within the same State. The Panchayat Samiti and the Zila Parishad are in many States at the block and district levels respectively, but the former is at the Taluka level in Gujarat, Maharastra, and Mysore while the latter is at the sub-divisional level in Assam (known as Mohkuma Parishad). In West Bengal, there is a fourth body—between the village Panchayat and the Samiti (Anchalik Parishad) called the Anchal Panchayat constituted for a group of 5—7 village Panchayats. (Details of their composition etc. are given in Appendices III to VI).

2.13. It may be mentioned here that, initially, the States began with the idea of making the Panchayat Samiti at the Block level, the main executive body, with the Zila Parishad as a coordinating body—in accordance with the recommendations of the Mehta Study Team. But there has since been a tendency to strengthen the Zila Parishad and provide for a statutory division of functions between the Samiti and the Parishad. At present, the Zila Parishad is a mere advisory body in Assam (Mohkuma Parishad), Madras, Mysore, Orissa, Punjab and Rajasthan. In Maharashtra, on the other hand, a wide range of functions and considerable funds have been entrusted to the Zila Parishad and the Samiti merely functions as its regional committee. The Zila Parishads of Gujarat, Andhra Pradesh and Uttar Pradesh are some where between these two extremes, the State Government being empowered to make them as strong or weak as they consider it expedient.

III. SOME GENERAL PRINCIPLES

3.1. Before we proceed to deal specifically with matters under reference, we wish to enunciate certain general principles which have guided us in making our recommendations.

3.2. The first principle is that the Panchayati Raj institutions should function as units of democratic local self-government. However, they should also perform, wherever necessary, agency functions for the higher tier institutions, State Governments or even for other authorities. In the beginning these agency functions may appear more substantial. But, gradually, responsibilities for many such functions should be assumed by the Panchayati Raj institutions as their normal functions of self-government.

3.3. It follows from the above that Panchayati Raj institutions should be able to develop distinct personalities and traditions as self-governing units. For this, it is essential that there should be a reasonable degree of stability of their areas of jurisdiction and of their structure as well as functions. In view of the fact that Panchayati Raj is a comparatively new experiment, it is reasonable that each State should have the freedom to make changes in the light of experience. But this initial period of experimentation should come to an end as early as possible so that the institutions are able to grow in an atmosphere of stability and security. It may be worthwhile to have a review, preferably by a Committee or Commission, appointed by the Government of India once in ten or fifteen years but otherwise there should be no interference with the working of these institutions.

3.4. Another general principle we have kept in view is that the composition and structure of these bodies should be as simple as possible and should involve the least amount of effort and expense in setting them up. During our tours, we came across a feeling widely shared that the constitution of Panchayati Raj bodies involves a large number of elections and that often the procedure of these elections is cumbersome and takes a long time during which public work is held up. These elections, together with general elections to the State Assembly and the Parliament and the election to the various other institutions, tend to distract the minds and energies both of officials and non-official public workers. While the Panchayati Raj institutions are important, it should not be forgotten that the scope of their functions and authority is limited and no purpose is gained by subjecting them to all the complexities that are inevitable in the formation of Parliament or State Legislatures. They have to work within the limitations imposed by the Statute which has created them and the rules which have been framed under the statute. Therefore, many of the matters which require elaborate provisions and machinery in the case of elections to Parliament and State Assemblies, can be dealt with in a much simpler manner.

3.5. We are fully conscious of the dangers of over-simplification and while suggesting simplification of the procedures of elections we have tried to see that the democratic character of Panchayati Raj bodies is not impaired and that they are truly representative of the people they have to serve. These institutions should be, as far as possible, representative of all sections of rural society, and yet should not be so large that they cease to be effective instruments for rural development. As explained in the terms of reference of our

Committee, the strength and composition of, and the method of elections to, these bodies have to be determined with a view 'to ensure their democratic and efficient functioning and the evolution of a harmonious and coordinated pattern of representative institutions.'

3.6. During our tours, complaints of bribery, kidnapping of voters and other malpractices in the elections to these institutions were brought to the Committee's notice at certain places and it was reported that some contestants had spent disproportionate sums of money in these elections. We have tried to suggest methods which will help to counteract such malpractices.

3.7. There is one other important point. The various tiers of Panchayati Raj bodies have to work in close collaboration with each other, particularly in the execution of plan schemes entrusted to them and should, therefore, be suitably interlinked. The lower tiers have at times to function as the agents of the higher tiers and the higher tiers have to coordinate the activities of the lower. We, therefore, consider it necessary that higher level bodies should be mainly composed of representatives of lower level bodies so that there is a continuous understanding between the various levels.

3.8. It may also be mentioned here that the mode of constitution of Panchayati Raj bodies and the system of elections thereto would depend to a considerable degree on the pattern and extent of powers and functions of these bodies. As stated earlier, each State has worked out its own pattern of Panchayati Raj. While in Madras, the intention of the State Government is to vest most of the executive authority in the Samiti (Panchayat Union Council) and to keep the Zila Parishad (District Development Council) merely advisory; in Maharashtra, most of the powers and functions are with the Zila Parishad and the Samiti is to be mainly an agent of the former. The same pattern of elections may not be suitable to both the systems. As it was not within our terms of reference we did not go into the question of distribution of powers and functions among the different tiers of Panchayati Raj bodies. We merely took note of the fact that the general trend of thinking in the country was towards having three-tiers, each having its own well-defined sphere of activity with necessary powers and resources. It was this picture of Panchayati Raj that the Committee kept before itself in its deliberations.

IV. THE VILLAGE PANCHAYAT

4.1. Fortunately, there is unanimity of opinion among all the States that there should be an effective self-governing unit at the village level; but what exactly should be the "village", whether it should be defined in terms of population or area or both, what should be the maximum or minimum number of members of a Panchayat or how it should be constituted and in several other matters, there are wide differences in ideas and practices.

Size of Panchayat

4.2. The average population per Panchayat is the lowest in U.P. (889) and the highest in Kerala, (15,618). In the former State, there are Panchayats with population as low as 250 while in the latter it goes up as high as 74,000. We have not been called upon to consider or recommend the most suitable area or population for a village Panchayat. Probably, any rigid formula will not be suitable to all the States. Even within a State, the density of population varies so widely that the notion of the village for Panchayat purposes has to be flexible. It may be useful, as in Madras State, to treat Panchayats with a population of over five thousand and an annual income of over Rs. 10 thousand as a town or major Panchayat with powers and functions somewhere between those of an ordinary Panchayat and a municipality. All the Panchayats in Kerala State will come under this category and it is, therefore, a matter for consideration whether in that State, the constitution of a Panchayat Samiti at the block or Taluk level is really necessary. At the other end, the constitution of small hamlets with a population of a few hundred into statutory village Panchayats does, in our view, incapacitate them from making any effective progress. If such small Panchayats are considered unavoidable, the constitution of Anchal Panchayats, as in West Bengal, consisting of four or five small village Panchayats, pooling the staff and funds in such Anchal Panchayats and using the Gram Panchayats as agencies for local development, may provide a possible solution. In this connection, we may point out that the Committee on Panchayati Raj Finances suggested in its Report that "ordinarily a population of 1,500 to 2,000 is desirable for the satisfactory working of a Panchayat." We are inclined to endorse that view.

Strength of Panchayat

4.3. According to the Panchayat Acts of the various States, the number of members constituting a Panchayat varies from a minimum of 5 to a maximum of 31 (details in Appendix IV). Assuming that a fifty per cent quorum is prescribed, the Sarpanch, with one or two adherents may be able to run the whole show in the smallest Panchayats. We consider that this is not desirable and, therefore, no Panchayat should have less than nine members, of whom not less than five should be present for a valid meeting. At the other end, we consider that Panchayats with as many as 31 members are too big for managing the affairs of a village. We may point out that the strengths are largest in U.P. where Panchayats have ordinarily a small population while in Kerala with much larger Panchayat population, a maximum of 15 is prescribed. We think that the maximum number of members for a Panchayat should be 19.

4.4. Between these two limits of 9 and 19, we consider that the following rules for the number of members of a Panchayat will be reasonable. For all Panchayats with a population of 2,000 or below, there should be 9 members. Over the initial 2,000, there should be an increase of one member for an addition of a thousand or part of a thousand up to a limit of 7,000. Above this limit, there should be an additional member for every increase of 2,000 or part thereof. According to these rules, the number of members for a Panchayat with a population of 7,000 will be 14, while the maximum of 19 will hold good for Panchayats with population of 17,000 or more.

Election to membership

4.5. In some of the States, all the members of Panchayat are elected; in others, some are elected and representatives of women, Scheduled Castes and Tribes are added by cooption by the elected members. In Bihar, the Sarpanch, who is directly elected, nominates four members. During the course of our enquiry, we found that cooption of special representatives was a cause of much friction and delay. Further, the coopted representatives did not feel that they were members of the Panchayats in their own right. We, therefore, feel that all the members of the Panchayat including representatives of women and Scheduled Castes/Tribes should be elected by the primary voters and there should be no cooption or nomination.

4.6. The method of election to the Panchayats is one of the most important terms of our reference. At first sight, the method of electing representatives in one batch by show of hands at a public meeting of all the voters of the village appears to be simple and attractive. Formerly, in Assam, Jammu & Kashmir and Uttar Pradesh, this was the method adopted. Even now, it is the current provision in Himachal Pradesh. We visited this State specially to ascertain whether this method worked smoothly and was popular. We found that there was near unanimity of opinion against this method among the villages we visited as also among the officials and Ministers.

4.7. Election at a public meeting generally amounts to nomination by powerful interests. The ill-feeling caused by open voting for one candidate or another tends to spoil the social atmosphere. Further, the method is liable to break down when there are numerous contestants. For these reasons the method had to be given up in Assam, Uttar Pradesh and Jammu & Kashmir. In Himachal Pradesh also, there is a general agreement that open voting at meetings should be replaced by secret ballot. We have, therefore, come to the conclusion that the only suitable method is election by the secret ballot.

4.8. The next important question is about the constituencies *i.e.* wards. In Punjab, we have the interesting system in which the entire village is treated as a single constituency and the members of the Panchayat are elected by a single non-transferable vote. It is argued that in this system the members are elected for the village as a whole and are likely to consider the interests of the whole community above that of their wards. In practice, however, the single non-transferable vote ordinarily reduces itself to voting by wards, as each candidate naturally concentrates on getting the votes of the people residing around him. This normal tendency is, however, likely to be counteracted by the influence of powerful personalities and pressure groups or caste and communal considerations. There is also the possibility that some portions of the village and if it consists of hamlets, some of them—may go altogether unrepresented. We feel that the conception of the interest of the whole community is rather vague, and in this

system no member of the Panchayat has any special responsibility for improving his neighbourhood. We have, therefore, come to the conclusion that the single village-constituency system is not desirable. We do not think that the substitution of multiple, cumulative or distributive voting will improve this method. They will be more impracticable.

4.9. We have next to consider whether it is desirable to have plural-member wards or single-member wards or a combination of both. In Gujarat and Maharashtra, double and triple-member wards are at present the rule. Plural wards also exist in other States. It has been argued that reservation becomes easier and more acceptable in plural member wards. It may be recalled that this was the case in respect of Parliament and the State Assemblies and after much discussion the single-member constituency system has been adopted for elections to them. We consider that the same reasons apply even more strongly to the elections to the village Panchayats. For the political education of the electorate, it is desirable that every voter should make a definite choice of one of the candidates nominated for the ward. The numerous combinations that become possible in a multi-member ward, tend to distract and confuse. Further, where a worthy candidate is forthcoming, he may be elected without contest in a single-member ward, while a contest will be unavoidable in a plural-member ward because the second or third member may not be unopposed. If there are 30 or 40 candidates the arrangements for polling will become difficult and the voter may be confused.

4.10. In Maharashtra and other States, it was argued that single-member wards might come to be dominated by caste considerations, while there was a greater chance of their being subordinated in plural-member wards. There is some point in this argument, but in all single-member wards in which a single caste predominates, there is a greater chance of real contest between candidates belonging to the same caste except where a person acceptable to the whole caste in forthcoming. In the latter case, it will neither be possible nor desirable to exclude such a representative. Caste no doubt plays an undesirable role generally in those wards where two castes are more or less equally balanced. This is even more likely in plural wards. We feel, therefore. that election of members in single-member wards is the simplest and most desirable form to be adopted for Panchayats.

4.11. We have considered whether it is desirable to restrict candidature in single-member wards to voters resident therein. While such a restriction may have the advantage of ensuring that the Panchayat consists of actual residents from the various wards, it has the disadvantage of compelling the voters to choose candidates whom they may not consider properly qualified to represent them. It will be particularly objectionable in the case of wards reserved for women and scheduled castes. Therefore, any voter included in the electoral rolls of any ward in the village should, if otherwise qualified, be entitled to stand for any ward, whether he resides in it or not. This will incidentally enable persons resident in the reserved wards who would be debarred from candidature, if the residential qualification were imposed, to stand for other wards. It will also prevent the exclusion of any candidate in case of readjustment of wards.

4.12. The importance of conducting the primary elections to the Panchayats in a manner that will require the minimum expense of time, money, forms and procedure, cannot be exaggerted. As there are over two lakhs of Panchayats, a saving of Rs. 50 in a Panchayat election will amount to a saving of a crore of rupees for the whole country. We attach so much

importance to this aspect that we shall be dealing with it in a separate section later on.

Compulsory voting

4.13. We wish, now to deal with a matter relating to elections which assumed increasing importance in our minds as we proceeded with our enquiry. In many villages, the notion prevails that the Panchayats and their elections constitute some kind of game or gamble for ambitious persons and that the people are merely necessary auxiliaries. The idea has still to percolate that the Panchayat is intended to be a true representative body of all the people of the village and a trustee of their interests. To make its representative character as complete as possible is a primary requisite of its future growth. We feel that every voter should realise that the exercise of his or her franchise is an elementary obligation of a citizen. The fact that originally franchise was limited to a small number of property owning persons and had to be extended after prolonged agitation, has made it in U.K. and other countries, a valued privilege. In India, the adult man or woman got the vote without any struggle and, therefore, some special steps have to be taken to bring home to him or her the value of the franchise and the duty to exercise it in the public interest of the village. The fact that it is considered mainly as a privilege tends to make the voter think that he is entitled to special inducements for exercising it. Occasionally, he even sells it; but, generally, he expects that the candidates should come to him with a special request to vote and arrangements should be made to take him to the polling booth. This makes electioneering a difficult business and where the constituency consists of some hundreds of voters, an expensive affair.

4.14. We are, therefore, of the view that at the primary Panchayat elections, it should be the duty of every voter to vote and the failure to vote should be subject to a penalty. To start with, we would like the penalty to be rather light, say a fine of Re. 1. Such a proposal may be new for India but it is already in force in Netherlands, Brazil and some other countries. We put forward this idea at our meetings with the Panchayati Raj institutions and officials during the last part of our tour. Being a rather novel idea for this country, we were not surprised that a few were opposed to it. The real surprise was rather that most appreciated the merit of the proposal and welcomed it.

4.15. Introduction of compulsory voting is sure to raise the percentage of polling. Once a person has to vote, he naturally gets to understand something of the meaning of voting. As he must make some electoral decisions, he is forced to go into the merits of contestants and thus gets acquainted with the local political situation. In this way, we expect compulsory voting to help in the political education of the people.

4.16. The argument commonly advanced against the introduction of comulsory voting is that it deprives the voter of his right to show his lack of interest in Government matters or his disdain for all the candidates by not voting. It is possible that a voter does not like any of the candidates but in a democratic system he cannot, on that account, refuse to be governed by persons who get elected. Nor, in the present day welfare State, can he afford to be indifferent to public affairs.

4.17. We are therefore of the view that introduction of compulsory voting will be an experiment worth trying in Panchayat elections. It would mean that every qualified voter must go to the polling booth and cast his ballot.

It will make impersonation more difficult. It may be that even after going to the polling booth he may deliberately invalidate his ballot paper but such persons are bound to be few. If the Panchayats are to be divided into single-member wards the number of voters in each constituency is not likely to exceed 500. Thus there should not be any serious practical difficulties.

4.18. The procedure will be simple. It should be the duty of the polling officer to make out a list of voters who had not come to the polls and submit the list to the Panchayat. The fine can be collected by the Panchayat in the same manner as other Panchayat dues. Where a voter has reasonable grounds for his failure to vote, like physical inability or attendance on a member of the family undergoing treatment at a hospital etc., the Gram Panchayat may be empowered to exempt him from payment of fine.

4.19. Compulsory voting may be tried, to begin with, in Panchayat elections. In elections to Parliament and State Legislatures there is a large number of voters in each constituency. It may therefore not be practicable to introduce compulsory voting for them right now. If this experiment proves successful in Panchayat elections and universal voting in contested constituencies of Panchayats becomes a normal practice it will be possible to extend it to the Parliament and State Assembly elections also, with even more beneficent results. It will carry the principle of universal franchise to its logical conclusion.

Representation of women

4.20. In all the States except Jammu & Kashmir, Bihar, Orissa, Uttar Pradesh and West Bengal, there is provision for bringing in one or two women members in the village Panchayat if they are not otherwise elected (Details are in Appendix VII). These women representatives are coopted in Assam, Madras, Madhya Pradesh, Punjab and Rajasthan and are elected from reserved seats in Andhra Pradesh, Gujarat, Maharashtra and Mysore.

4.21. The Committee found, during its tours, that in all the places visited there was almost unanimous opinion that there should be at least two women members in each Panchayat. Where there is only one, she feels rather isolated and if there are at least two women members they will be able to contribute more effectively to the deliberations of the Panchayat. As we have ruled out cooption or nomination, it follows that these representatives should be elected from reserved wards. We are also of the opinion that the two seats reserved for women should be changed in each Panchayat election so that every constituency may have the privilege, in rotation to be represented by a women. This will also obviate the legitimate objections of general candidates if the same seats were to be permanently reserved.

Representation of Scheduled Castes/Tribes

4.22. It will be seen from Appendix VII that in all the States except Bihar, Jammu & Kashmir, Orissa and West Bengal certain seats are reserved for Scheduled Castes and Scheduled Tribes depending upon their population in the Panchayat area. In Assam and Rajasthan these seats are filled by cooption but in other States elections are held for these seats along with the others.

4.23. We are of the view that for the Scheduled Castes there should be at least one seat reserved in every Panchayat, as they are spread out all over the country. If, however, the population of the Scheduled Castes in

any Panchayat exceeds 10 per cent of the total, there should be two seats for them. Regarding Scheduled Tribes, one seat should be reserved for them in case they have a population of 50 per cent or more in the Panchayat area. We want this minimum reservation lest they should go altogether unrepresented. As they generally live in compact units, there is no need to give them a larger reservation. They are sure to get due representation from the general wards if their population is larger. These representatives of Scheduled Castes and Scheduled Tribes should also be elected from reserved seats. In these cases also a limited rotation of reservation should be possible—but the reserved wards should be such as to contain some Scheduled Caste/Tribe population.

4.24. We consider that reservation of a certain number of seats for women, Scheduled Castes and Scheduled Tribes should not prevent them from contesting and getting elected to the unreserved seats. Such members, if any, should be in addition to those elected from reserved seats.

Election of Sarpanch

4.25. Next to the members of the Panchayats, the election of the Sarpanch or the Executive Head of the Panchayat is of crucial importance. He is at present directly elected by the entire electorate of the Panchayat in Bihar, Orissa (new amendment), Punjab, Rajasthan and Uttar Pradesh and in other States, he is elected indirectly by the members of the Panchayat. Opinion on this issue is sharply divided, not only among the States but also in every State. In Assam and Madras, for instance, the Government has changed over from direct election of the Sarpanch to indirect election. In Orissa, they have changed over from indirect to direct election. We found, however, that in all the States we visited including Assam and Madras, the Panchayats, Samitis and Zila Parishads were generally in favour of direct election.

4.26. Both the methods are supported by strong arguments. It is said that direct election is conducive to the emergence of the most able and popular leader of the village as the Sarpanch while indirect election may result, through the manipulation of a few votes, in the election of a person who is more influential on account of wealth or family status. As no Panchayat, unless it is a very big one, can afford responsible executive staff, it is essential that the Sarpanch should be a dynamic personality, able to implement the decisions of the Panchayat speedily and efficiently.

4.27. On the other side, it is argued that indirect election assures, at least to begin with, the support of a majority of the members. It is possible that in a scheme of direct election, the Sarpanch may be opposed by the majority of the members and the Panchayat may have to begin in some kind of dead-lock. It is also generally agreed that the Panchayat should not be a one man show and collective thinking and action should be promoted.

4.28. We have carefully considered the arguments for either side. We do not think that a directly elected Sarpanch is often likely to be opposed by a majority of the members. Normally, the prospective Sarpanch will have the support of the more popular candidates in the various wards. It has also been a general experience that when once the passions aroused in a contested election have cooled down, there has been no difficulty in the Panchayat working harmoniously so long as the Sarpanch is honest and does not misuse his position. The needs of the village are so insistent and the

resources available are generally so scanty, that there will generally be common agreement as to the order of priorities in which local needs have to be met. It has been argued and with justification, that where a village Panchayat consists of several scattered hamlets the smaller hamlets will get better justice at the hands of a directly elected Sarpanch.

4.29. We have, therefore, come to the conclusion that the Sarpanch should be elected directly by all the voters of the village. This need not involve any special administrative arrangements or extra expenditure, as he can be elected simultaneously with the members. In each polling booth, an additional box will have to be kept and ballot papers distributed for Sarpanch in addition to those for the members.

4.30. As the Sarpanch is to be directly elected it may be thought that the simplest way of constituting the village Panchayat is to empower him to nominate the members. In a highly educated and a politically conscious village this may be worth trying but in the present conditions of our villages it is not desirable to encourage any tendency towards autocracy and independent direct election of members will provide a salutary check.

4.31. The question arises whether a person should be allowed to stand simultaneously, both as a member and the Sarpanch. We consider that there can be no objection to it. There is no reason why a person should be denied the opportunity of serving as an ordinary member, if he is unable to become a Sarpanch. In case the Sarpanch is not also elected as a member, it should be statutorily provided that he should be deemed to be an additional member, the number of members being thereby increased automatically by one.

4.32. If the office of the Sarpanch falls vacant by reason of his death, resignation or removal etc. during the term of the Panchayat, we do not consider it necessary that another Sarpanch should be directly elected. For the remaining term, the Panchayat members may elect a Sarpanch from among themselves.

Up-Sarpanch

4.33. Except in Punjab, there is also an Up-Sarpanch elected by the members of the Panchayat. We think it is useful to have an Up-Sarpanch and the simplest method is to have him elected indirectly by the members. The directly elected Sarpanch and the indirectly elected Up-Sarpanch should between themselves, be able to run the Panchayat harmoniously.

4.34. As in the case of the Sarpanch, vacancies in the offices of Up-Sarpanch or members should be filled up only for the remaining period of the term.

Term of office

4.35. The term of office of the village Panchayat is either 3 or 4 or 5 years. The case for a shorter period is that it will make the members more responsive to the electorate. On the other hand, the administrative and financial burden of Panchayat elections is so great that its repetition after every three or four years is not desirable. It is our opinion that the term of the Panchayat, its members and the Sarpanch, should be five years beginning from the date of election of the members and the Sarpanch.

4.36. We think it will be a great convenience if the term of village Panchayats all over a State begins and ends on the same date. We did consider the alternatives of continuous Panchayats with a third of their members retiring after every two years, as in the case of the Rajya Sabha and the Legislative Councils in the States. There was more or less unanimous opposition to it, as it was felt that even if elections were conducted for a third of the seats in Panchayats, the arrangements, expense and excitement will not be far different from that of a general election. The same difficulties will be present if the Panchayats were elected at different times in different districts. If our proposals regarding the election procedure (to be set out later) are accepted, we think that all the Panchayati Raj elections should be completed within a period of nine weeks. Thus, both the officials and the people will feel free from the fever of these elections except during this short period. This is certainly desirable and over-weighs all the minor advantages from shorter periods or phased elections.

Committees

4.37. In the Panchayat Acts of some States, there are provisions relating to Committees. We do not think there is any need for a Committee for village Panchayat. The entire Panchayat should do all the work jointly. The secretarial work necessary for the functioning of Committees properly may also be too much of a burden for the single Panchayat Secretary. There should, however, be no objection to the appointment of *ad hoc* committees to supervise particular works. They should be automatically dissolved as soon as the work is completed.

Summary of recommendations

4.38. In accordance with the views expressed above, we recommend that—

(i) A Panchayat should consist of not less than 9 and not more than 19 members. The actual number of members should be fixed on the following scale:

(*a*) Panchayats with population less than 2,000	9 members.
(*b*) Panchayats with population 2,000—7,000	1 additional member for every increase of 1,000 or part thereof.
(*c*) Panchayats with population 7,000—17,000	1 additional member for every increase of 2,000 or part thereof.
(*d*) Panchayats with population above 17,000	19 members.

(ii) All the members of the Panchayats, including representatives of women, Scheduled Castes/Tribes should be elected and there should be no coopted, nominated or *ex-officio* member.

(iii) The Panchayat election should be held by secret ballot and in single-member wards into which each Panchayat should be divided.

(iv) Any person who is a voter of the village and whose name appears in the electoral roll of the Panchayat should be entitled to contest as a candidate in any ward.

(v) It should be made compulsory for all voters to cast their ballot in Panchayat elections. The voter who fails to do so should be fined Rupee one.

(vi) In every Panchayat, there should be two seats reserved for women. The reserved wards for women should be rotated at every election to the Panchayat.

(vii) There should be one seat reserved for Scheduled Castes where their population is less than 10 per cent and where their population is more than 10 per cent, two seats should be reserved for them. In all Panchayats where the population of Scheduled Tribes is more than 5 per cent, there should be one reserved seat for them. The reserved wards for Scheduled Castes/Tribes may also be rotated but only among the wards where there are some people belonging to them.

(viii) Women, Scheduled Castes and Tribes should also be free to contest for unreserved seats.

(ix) The Sarpanch should be elected directly by the voters of the Panchayat.

(x) A person may be permitted to be a candidate for the office of the Sarpanch as well as for membership of the Panchayat.

(xi) In case a person who is not a member is elected as a Sarpanch, he should be deemed to be an additional member of the Panchayat, the strength of the Panchayat being thereby increased automatically by one.

(xii) If the Sarpanch dies, resigns or is removed, his successor will be elected indirectly for the remaining period of the term by the members of the Panchayat from among themselves.

(xiii) The Up-Sarpanch should be elected indirectly by the members of the Panchayat from among themselves.

(xiv) The term of office of the members of the Panchayats, the Sarpanch and the Up-Sarpanch should be five years.

(xv) All the Panchayats in a State should have the same term, beginning and ending on the same dates. All mid-term elections should be for the remaining term only.

(xvi) There is no need of Standing Committees for the Village Panchayats but *ad-hoc* committees may be set up for supervising particular works.

V. PANCHAYAT SAMITI

5.1. The Report of the Balwantray Mehta Study Team sought to organise Panchayati Raj on the basis of a Panchayat Samiti to be constituted for a development block. The great merit of this proposal was that the block was constituted, except for some very hilly and scarcely populated areas, on the basis of a uniform population of nearly 70,000. For each such block, a certain pattern of staff, consisting of a Block Development Officer, Extension Officers and Village Level Workers has been established. It was, therefore, considered that the conversion of this area into an effective self-governing unit will continue all the procedures and methods of development work which had been established. However, many States have chosen to depart from this structure. In Gujarat, Maharashtra and Mysore, the Samiti has been constituted at the Taluk level. In Andhra Pradesh last year 448 blocks have been reconstituted into 321 Samiti areas.

5.2. In the matter of functions, finances and other features of the Panchayat Samiti, there is substantial similarity in all the States except in Maharashtra. In the latter State, the Panchayat Samiti has not been conceived as an independent and autonomous self-governing unit like the village panchayat or the Zila Parishad. It is statutorily a mere agency of the Zila Parishad, though we understand that by progressive delegation of functions from the Zila Parishad, the Panchayat Samiti in Maharashtra may come to occupy more or less the same position as in other States. In view of the statutory differences, we have to deal with the structure of the Panchayat Samitis in Maharashtra in a different manner.

5.3. The Panchayat Samiti is composed of the Sarpanches of village panchayats within its jurisdiction as *ex-officio* members in Andhra Pradesh, Assam (New Amendment), Bihar, Gujarat, Madras (New Amendment), Orissa, Rajasthan and Uttar Pradesh. In Orissa, each village panchayat in addition to the Sarpanch further elects a person other than a panchayat member to the Panchayat Samiti. In Madhya Pradesh, Maharashtra and Punjab, the members of the Panchayat Samiti are elected by the members of the village panchayat. In West Bengal all heads of Anchal Panchayats are members of the Anchalik Parishad. In addition, representatives of women, Scheduled Castes and Tribes are coopted in almost all the States. (Details of the composition of the Panchayat Samitis are given in Appendix V.).

Strength of Samiti

5.4. The first question we have to consider is about the reasonable strength of the Panchayat Samiti. In view of the fact that we have suggested a minimum of 9 and a maximum of 19 for the village panchayats, we think that a minimum of 20 and a maximum of 40 will be suitable for the Samiti. This range will generally permit full and exclusive representation by the Sarpanch, of the individual village panchayats in Andhra Pradesh, Assam, Madras, Mysore and Rajasthan. This will not be possible in some other States, *e.g.*, Uttar Pradesh where the average number of panchayats per Panchayat Samiti is 85; or Punjab, where it is 60; or Gujarat, where it is 58. From one point of view, it may be desirable to provide one member

for every village panchayat irrespective of its size. But if the strength of the Samiti is too large it becomes difficult for it to function effectively and the administrative expenditure increases. An even more serious disadvantage is the tendency for the village panchayats to demand their splitting up so that the same group of hamlets may have a larger representation in the Samiti. We consider that this tendency should not be encouraged. In a Samiti where the number of village panchayats is more than 40, it is obvious that full individual representation cannot be given to every panchayat. In such cases, panchayats with a population of say 3,000 and above, may be assigned a representative each. If the number of other panchayats is not more than twice the remaining seats, groups of two may be made and each group given a representative. If the number of small panchayats is more than twice the remaining seats, a further division among them has to be made, grouping the bigger panchayats into groups of two and the very small panchayats into groups of three. Each such group will then get one representative.

5.5. We do not think that each of these groups of two or three villages should elect a common representative. We consider it essential that each village panchayat should have direct participation in the work of Panchayat Samiti. We would, therefore, prefer a system by which the Sarpanches of each of the panchayats in that group will participate in the Samiti in rotation. Thus, if two villages are assigned one representative, the Sarpanch of each village will participate for half the period, namely 2½ years. If three villages are grouped together, the Sarpanch of each village will hold office for two years in rotation. It does not matter if he has to participate for one year before a general election and one year after it. There should be no difficulty for any State in working out a scheme on the lines indicated above.

5.6. In Orissa there are only 7 panchayats on the average for a Samiti. If Samitis are to be constituted for Kerala, the number of panchayats per Samiti may range from 5 to 10. In such cases, we would like that the villages should be grouped in the reverse fashion. Those with population below a certain number, say, 3,000 in Orissa and 7,000 in Kerala, may be given one representative. Villages with populations above 3,000 but below 5,000 in Orissa, and above 7,000 and below 10,000 in Kerala, may be given two representatives and those with higher populations three.

Membership of Samiti

5.7. In most States Sarpanches are *ex-officio* members of the Samiti. If our proposal for direct election of the Sarpanches is accepted, this *ex-officio* membership of the Samiti becomes not only appropriate but constitutes a very effective way of interlinking the village panchayat and the Panchayat Samiti. The directly elected Sarpanch will represent both the people of the Panchayat and the Panchayat as an institution. We do not think that the work of a Sarpanch in village panchayat is so heavy that his membership of the Panchayat Samiti will interfere with it. This kind of representation has, in fact, been found working very satisfactorily. It may be noted that in Assam and Madras where, formerly, the village panchayat elected a member to the Samati and the Sarpanch was not an *ex-officio* member, the change has been made to confer upon him such membership.

5.8. Now the question arises as to the method of representation in such States as Orissa and Kerala where a panchayat may have more than one

representative. One representative being the Sarpanch *ex-officio,* the additional representatives can most simply and conveniently be elected by the members of the Village Panchayat. As the Sarpanch will be directly elected, indirect election by the members of the panchayat will strengthen the institutional representation. If the panchayat has more than one additional representative, the election may be by single transferable vote.

Representation of women, Scheduled Castes/Tribes

5.9. We now come to the question of representation of women and Scheduled Castes and Tribes. The present position in various States is given in Appendix III. Almost all the States provide for one to five representatives for women and one to eight representatives for Scheduled Castes and Tribes. Here again, we consider that fixity of the number of representatives is desirable in the interests of simplicity.

5.10. As we have recommended two women representatives for each panchayat, we consider that there should be four such representatives in the Samiti. They may be coopted by the members of the Samiti; but, it should be only from the elected women members of the village panchayats comprised in the Samiti. Though at present no such restriction in the choice of women representatives obtains in any State, we found unanimous support for the proposal that the choice should be restricted to women who are already elected to the panchayats. We do not think it right that women, who do not seek membership in a village panchayat or who are unable to get elected from the reserved seats of the panchayat should be enabled, by mere personal influence, to get into the Samiti. It is also essential in our view that like the other members of the Samiti, the women representatives should have direct association with panchayat work.

5.11. For the Scheduled Castes, we consider that if their population in the Samiti is less than ten per cent, two representatives will be sufficient and if it is more, then four representatives may be coopted. Here again, as in the case of women, the cooption should be limited to the elected representatives of the Scheduled Castes in the Village panchayats. In the case of Scheduled Tribes, if their population in a Samiti area is not less than five per cent, two representatives may be coopted. They should also be chosen from the elected members of the Scheduled Tribes in the panchayats.

5.12. All these coopted representatives will be in addition to such representatives as may become members of the Samiti in other ways; *i.e.,* by being Sarpanch or additional member. As in all these cases more than one representative is to be coopted, we think that the cooption should be by the method of single transferable vote subject to the further condition that no two representatives of women, Scheduled Castes or Tribes should be from the same village panchayat.

5.13. Only the members chosen as above (paras 5.7 to 5.11) should be full members with voting rights. Our views regarding associate and official members without voting rights are given in later Sections.

Election of Chairman

5.14. At present, in all the States except Rajasthan, the Chairman is elected by the members of the Panchayat Samiti. We found to our great regret that it is this election which has given rise to the worst forms of corruption which can be imagined. We certainly do not suggest that all the

Chairmen are elected by corrupt means. But, in the case of some of them, open and heavy bribery amounting, on occasions, to thousands of rupees per Samiti member, practical kidnapping of members and confining them in particular places or sending them away on long tours and resort to all other kinds of undue pressure and influence were brought to our notice. These gross abuses are easily possible because of the small electorate. As the office of the Chairman of the Samiti has an important status in public life and as the prestige of that office is likely to grow we consider that this indirect election by a handful of members should be given up.

5.15. Naturally, we considered the other logical steps of having him elected directly by all the primary voters of the Samiti area. This would mean an electorate of 40,000 to 1,00,000, in the various States. Though it has certain procedural advantages, as the Chairman can be elected at the same time as the members of the village panchayats, we had to reject this proposal on three grounds. First, the contest for Chairmanship will then dominate both the election of members of the panchayat and of the Sarpanch. Secondly, such a direct election will tend to be fought on the basis of political parties, in view of the number of voters, the area of operation and the expenditure involved. Then the allotment of party symbols may become necessary. Thirdly, the tensions and public excitment will be of the same type and degree as during the elections to the State Assembly.

5.16. We have, therefore, come to the conclusion that avoiding these two extremes, the most satisfactory way of electing the Chairman is through an electoral college consisting of all the members of the village panchayats comprised in the Samiti area. This would provide a minimum of 200 and a maximum of about 1,000 electors. As these electors will be distributed in all the villages of the Samiti, it will not be easy to resort to malpractices and corruption mentioned above. It is quite true that if sufficient time were given, undue pressure and influence may be brought to bear on the members of this electoral college. We think that it should be possible to hold the election of the Chairman within fourteen days of the panchayat elections so that the candidates will not have much time to resort to undesirable practices.

5.17. It was brought to our notice that in the recent elections in Rajasthan where the Chairman of the Panchayat Samiti was elected by the electoral college suggested above, the abuses referred to in 5.15 have been indulged in, at many places. The Chairman, Mr. Sonavane and the Secretary visited the Ganganagar district to make inquiries about it and to their regret they found that the expenditure of large sums of money for maintaining camps and entertaining the panches and for other desirable purposes was generally admitted even by the actual contestants. We have made some suggestions to check these abuses in a later Section.

5.18. We considered the suggestion that the candidature for Chairmanship should be restricted to the Sarpanches or the members of the panchayats. These will, of course, be free to stand as candidates. It is neither necessary nor desirable to prevent the candidature of others. Any primary voter in any village of the Samiti should be entitled to contest for Chairmanship. If the elected Chairman is not already a member of the Samiti, he will be deemed to be a member *ex-officio* and the number of members of the Samiti will be automatically increased by one.

5.19. If a Sarpanch should be elected as the Chairman, he should not be required to resign his office as Sarpanch, but his functioning as Sarpanch

should be treated as in abeyance during the period he is the Chairman. If, for any reason, he resigns his office as Chairman, he should be entitled to resume his office as Sarpanch. During the period of abeyance, the Up-Sarpanch may be empowered to function as Sarpanch.

5.20. If there is a vacancy in the office of the Chairman by reason of death, resignation or removal, etc. he may be elected indirectly by the members of the Samiti for the remaining term.

The Vice-Chairman

5.21. The Vice Chairman of the Samiti may continue to be elected as at present by the members of the Samiti.

Term of office

5.22. By the manner of its composition it follows that the term of office of the Samiti, the Chairman and the Vice Chairman should be the same as that of the panchayat, namely, five years.

Committees

5.23. There are statutory provisions in various States for constituting 3 to 8 functional committees of a Samiti. A Statewise list of such Committees with their subjects is given in Appendix XI. We do not want to lay down any definite number of these Committees for all States as this would depend upon the functions assigned to the Samitis in each State. However, we recommend that these committees should be so constituted that—

(i) Every member of the Samiti should be a member of one Committee at least; and

(ii) No person should be a member of more than two Committees.

In this way, every member of the Samiti will have a sense of participation in the Samiti's administration and will thereby gain valuable experience.

5.24. It will appear from Appendix XI that the Chairmen of these Committees are either elected by their members or they are presided over by the Chairman or Vice Chairman of the Samiti. In some States, the Chairman presides over all or a number of Committees. We are of the view that neither the Chairman nor the Vice Chairman should preside over more than one Committee. However, there is no need for any election to the Chairmanship of the Comittees. They should be nominated by the Samiti Chairman and while doing so, he should take care that appropriate representation is given to the women and Scheduled Castes/Tribes also. It will be useful if all the Chairmen of the Committees together constitute an Executive Committee for coordinating their work.

Special case of Maharashtra

5.25. In Maharashtra, the Panchayat Samiti consists of the following members :—

(i) Representatives directly elected by the primary voters to the Zila Parishad from Electoral Divisions with average population of 35,000.

(ii) Each such electoral division is divided into two and members of the panchayats in each half elect one of the Sarpanches to the panchayat samiti.

About the direct election to Zila Parishads, we shall deal with the matter later. We have no objection, however, to the election of some common members to the Samiti and the Parishad.

5.26. Regarding the election of one Sarpanch by the members of a group of panchayats, we consider that it is neither necessary nor desirable. As we have already suggested, it is essential that every village should be directly associated with the panchayat samiti through its Sarpanch. The number of members of the Samiti in Maharashtra is at present small. If it is increased, as recommended by us, and the Panchayats are suitably grouped, it should be possible for the Sarpanch of every village to serve the Samiti for either the whole term or for a shorter period in rotation with other Sarpanches. In Maharashtra also, the Chairman of the Samiti may be elected in the same as has been proposed for other States.

Summary of recommendations

5.27. We, therefore, recommend that—

(i) A Panchayat Samiti should have between 20-40 members.

(ii) Where a Panchayat Samiti consists of not less than 20 and not more than 40 village panchayats, the Sarpanch of every panchayat should be an *ex-officio* member of the Samiti.

(iii) Where the number of Panchayats in a Samiti is more than 40—

(*a*) Panchayats with population of about, say, 3,000 or more should have their Sarpanch as *ex-officio* member of the Samiti.

(*b*) Panchayats of population less than 3,000 should be suitably grouped, each group consisting of two or three panchayats and there should be one representative for each group. Each Sarpanch of the group will be a member of the Samiti for half the period if it is a group of two and for two years in turn if it is a group of three.

(iv) If the number of Panchayats in the Samiti is less than 20, panchayats with a population of 3,000 in Orissa and 7,000 in Kerala should each have one representative. Panchayats with population 3,000-5,000 in Orissa and 7000-10000 in Kerala will have two representatives. Panchayats with higher populations will have three representatives. The Sarpanch will be an *ex-officio* representative in all cases and the other representatives will be elected by the members of the Panchayats. Where there are two additional representatives the election will be by single transferable vote.

(v) Four women members should be coopted by every Samiti out of the elected women members of the panchayats comprised in the Samiti.

(vi) If the population of Scheduled Castes in a Samiti area is less than 10 per cent, the Samiti shall coopt two members of the Scheduled Castes out of the elected Scheduled Castes members of its constitutent panchayats. If the population is more than ten per cent, four such representatives will be coopted.

(vii) If the population of Scheduled Tribes in a Panchayat Samiti area is more than 5 per cent, two representatives of the Scheduled Tribes will be coopted.

(viii) The cooption of the representatives in (v), (vi) and (vii) above will be by single transferable vote subject to the further condition that no

two representatives of women, Scheduled Castes or Tribes should be from the same village panchayat. These coopted representatives will be in addition to those coming in as Sarpanches or elected additional members.

(ix) The Chairman of the Samiti shall be elected by an electoral college consisting of the members of all the village panchayats comprised in the Samiti area. This election should be conducted not later than fourteen days after the panchayat elections.

(x) A candidate for the Chairmanship need not be a Sarpanch or a Panchayat member but should be a voter in a village of the Panchayat Samiti.

(xi) If a Sarpanch is elected as Samiti Chairman his position as Sarpanch will be in abeyance and the Up-sarpanch will act as Sarpanch. If, for any reason, he relinquishes his office as Chairman, he should be entitled to resume his office as Sarpanch.

(xii) In case of a vacancy in the office of the Samiti Chairman by reason of resignation, death or any other cause, the successor will be elected for the remaining period by the members of the Panchayat Samiti.

(xiii) The Vice Chairman of the Simiti will be elected by its members from among themselves.

(xiv) The term of office of the Samiti, the Chairman and the Vice Chairman shall be five years.

(xv) Every member of the Samiti should be on some Standing Committee or the other and no person should be on more than two committees.

(xvi) The Chairman or the Vice Chairman of the Samiti should not preside over more than one committee. The Chairman of these committees need not be elected but should be nominated by the Samiti Chairman.

(xvii) For coordinating the work of the various committees there should be an executive committee consisting of the Chairmen of all Standing Committees.

(xviii) In Maharashtra, the election of some common members to the Samiti and the Parishad may continue, but instead of electing two sarpanches from each electoral division, the grouping of villages and the methods of representation recommended in (iii) above may be followed and the strength of the Samiti increased as suggested in (i) above.

VI. ZILA PARISHAD

6.1. It has already been pointed out that the Balwantray Mehta Study Team recommended an advisory body at the district level to coordinate the activities of the Panchayat Samitis. Some States accepted this recommendation; but others were not satisfied with a mere advisory body and endowed it with some executive and other functions.

6.2. The Naik Committee on Democratic Decentralisation, which was set up by the Government of Maharashtra in 1960 took a radically different view. It was of the opinion that—

(i) There could be no effective decentralisation at the Samiti level.

(ii) The State Government was organised in terms of districts and every department of Government had its responsible officers only at that level, and

(iii) No institution set up below the district level should be able to take effective decisions and would have to be subject to the control and supervision of the district officers.

It, therefore, recommended that the Zila Parishad should be the main body to which all functions of the State Government, except Law and Order, General Administration, Police, Forests, State Highways and a few other matters should be transferred. The recommendations of that Committee were accepted by the Government of Maharashtra and embodied in the Maharashtra Zila Parishad and Panchayat Samitis Act, 1961.

6.3. Since then, opinion in the country has been fluctuating between these extremes. There has been a tendency among other States to make the Zila Parishad an executive body to some extent, though not so comprehensive or powerful as the Zila Parishad of Maharashtra. Thus, there are three types of Zila Parishads in the country—

(i) purely advisory and coordinating—Assam (Mohkuma Parishad), Madras, Mysore, Orissa, Punjab and Rajasthan;

(ii) fully empowered district self-governing body with the Samiti as agent—Maharashtra; and

(iii) midway between the two, with some exclusive functions and own finances in addition to its role as coordinating and advisory body—Andhra Pradesh, Gujarat and Uttar Pradesh.

6.4. It is reasonable to think that each of these three patterns should have that composition and structure which is consistent with its functions and powers. Obviously, the composition of a Zila Parishad which is only advisory is not of any great importance. But where the Zila Parishad is charged with executive functions and will have to take decisions relating to policy and finance, it would not be right to make the district collector its head or other permanent officials its members. As we expect that in the long run, no State will be content without some degree of decentralisation at the district level, we wish to deal mainly with the composition and structure of such a Parishad.

6.5. Here again, we are confronted with the wide disparities in the areas and populations of districts in the various States. Their population varies from a lakh to over 62 lakhs (24 Parganas). The areas vary from 658 sq. miles (Simla) to 44,185 sq. miles (Kutch). Most of the present day districts were carved out more than a century ago. We are, therefore, strongly of opinion that it would be conducive to better administration, generally, as well as for Panchayati Raj purposes, if the districts could be brought to a comparable size. Probably, an average population of one million per district with a range of variation of a quarter million on either side may result in a structure which will give to district officers all over the country a comparable quantum of work and responsibility. Even if the present districts are retained for purposes of General Administration, there should be no difficulty in splitting them up for development as has been done in Madras. With 324 districts in India, covering a population of 439 million such reorganisation would not result in any radical change in the general picture of district administration. It would only be rationalised.

Membership of Zila Parishad

6.6. In all States, the Zila Parishad contains representatives of the Panchayat Samitis. Generally, the Chairman of the Samiti is an *ex-officio* member. We think this is a necessary and desirable provision. The number of Samitis per district varies from 6 to 45 and the total membership at present of the Zila Parishad including the coopted and associated members, varies from about 40 to 80. Considering these facts, we think the strength of a Zila Parishad may be between 40 to 60. This will give reasonable scope for representation for the various parts of the district without making the Zila Parishad unwieldy.

6.7. There is justification for giving another representative to every Samiti besides its Chairman. The Chairman of the Samiti is elected by the members of the village panchayats and, therefore, if an additional member is elected by the Samiti, the panchayats and the Samitis would be equitably represented in the Zila Parishad. With this provision many Zila Parishads will have 30 members or more. In the case of all districts which have less than 15 Samitis, a second additional member may be elected by every Samiti. Where there are two additional members, they may be elected by the single transferable vote.

Representation of women, Scheduled Castes/Tribes

6.8. We next proceed to consider the representation of women, Scheduled Castes/Tribes. The present position in the various States is given in Appendix IX. Almost, all States provide for 1 to 5 representatives of women and 1 to 10 representatives of Scheduled Castes and Tribes. We think that the pattern proposed by us for the Samiti may be followed for the representation of these Sections in the Zila Parishad also. At the district level, we consider that there should be 8 women representatives. These representatives may be coopted by the Zila Parishad out of the women representatives of the Panchayat Samitis. As these women are to be coopted out of the elected women representatives of the panchayats, they will constitute valuable links all the way from the panchayat to the Zila Parishad.

6.9. If the Scheduled Castes population in a district is less than ten per cent, we consider that four representatives of Scheduled Castes should be

coopted from such representatives in the Panchayat Samitis. If their population exceeds ten per cent, there should be 8 representatives. For Scheduled Tribes, we consider that four representatives should be coopted in like manner if their population in the district is not less than five per cent of the total population. If their population is considerably more than this percentage, we expect that many more representatives will come in the normal course.

6.10. These coopted representatives will, in all cases, be in addition to the women. Scheduled Castes or Tribes who come as *ex-officio* members or additional members elected by the Panchayat Samitis. Their cooption should be by the method of single transferable vote, subject also to the condition that no two members should belong to the same Samiti.

Election of President

6.11. The President of the Zila Parishad is at present elected by the members of the Zila Parishad (except in Rajasthan). With a minimum number of 60 and the possibilities of substantial functions, powers and finances being vested in the Zila Parishads, we fear that election by the members of the Zila Parishad may give rise to the same kind of abuses that have become common in connection with the election of the Chairman of the Panchayat Samiti. We have earlier recommended that the Chairman of the Panchayat Samiti should be elected by an electoral college consisting of all the members of the village panchayats comprised in the Samiti. These electoral colleges of the Samitis taken together can provide a suitable electorate for the election of the President of the Zila Parishad also. He can then be elected simultaneously with the Chairman of the Samiti. If, as has been suggested, this election is held within a fortnight of the elections to the panchayats, it will ensure the election of the most popular leader in the district without much convassing or undue influence and this will, in turn, raise the prestige of the Zila Parishad.

6.12. As in the case of the Chairman of the Panchayat Samiti it does not seem to be necessary that a candidate for the Presidentship of the Zila Parishad should be a member of a Samiti or a Panchayat. It should be enough if he is a primary voter in any panchayat of the district.

6.13. Though, logically, there should be no objection to a person standing simultaneously for the Chairmanship of a Samiti and for the Presidentship of the Zila Parishad. we consider it would be more expedient and cause less confusion if a person standing for the Chairmanship of a Samiti, is not permitted to stand also for the Presidentship of the Parishad in the same election. This would prevent unhealthy rivalries and it would not also be necessary to make provision for the contingency of the same person being elected to both the offices simultaneously.

6.14. If there should be an interim vacancy in the office of Presidentship, we do not think it necessary to fill it by election by the electoral college of all members of panchayats. He may be elected for the remaining period by the members of the Zila Parishad.

The Vice President

6.15. The Vice President of the Zila Parishad may be elected by the members of the Parishad.

Term of office

6.16. The term of office of the Zila Parishad as well as the President and the Vice President will be, as in the other cases, five years.

Committees of Zila Parishad

6.17 As in the case of the Panchayat Samiti, there is generally a statutory provision in various States for constituting three to seven functional committees of the Zila Parishad (Appendix XII). We do not propose to lay down any general rule for the number of Committees; but we would like them to be as few as possible. With reference to these Committees also, we consider that they should be so constituted that—

(i) every member of the Parishad finds a place on one of the Committees at least; and

(iii) no member is on more than two committees.

6.18. The President and the Vice-President may each preside over only one Committee and the Chairman of the other Committees should be nominated by the President. While doing so, he should bear in mind the desirability of appointing women, Scheduled Caste/Tribe members for such chairmanship. For coordinating the activities of these Committees, an Executive Committee consisting of the Chairmen of all the Committees of the Parishad should be constituted.

The Advisory Zila Parishad

6.19. Where the Zila Parishad is purely an advisory and coordinating body without any executive functions or finances of its own, we consider that the composition of the Parishad may be the same as suggested above. In this case, there is no necessity to have the President elected by a wide electoral college. He may be elected by the members of the Zila Parishad. We feel, however, that the practice of making the District Collector *ex-officio* Chairman of the Zila Parishad or Chairman of all Committees is not conducive to the emergence of the Zila Parishads as the authentic voice of popular opinion and feeling in relation to the development of the district.

Special case of Maharashtra

6.20. In Maharashtra 40 to 60 Councillors are directly elected from electoral divisions in the district, each with a population of about 35,000. In the Naik Committee Report, it is said :

> "We are convinced that the District Council, which will exercise the functions of the State as proposed by us, should be broad based, should be directly responsible to the people and have the requisite political stature and, therefore, be substantially directly elected."

6.21 There is some force in this argument. Still, it should not be forgotten that the Zila Parishad, even in Maharashtra, is mainly an administrative body without any legislative powers. In matters of policy, it can have only a minor role. In such circumstances, we are not quite sure if direct elections from 40 to 60 constituencies is altogether necessary. At present, these elections are fought on the basis of political parties, the candidates being assigned party symbols. Considering that no recognition for parties or party symbols is accorded in the elections to panchayats and Samitis, the official recognition of party politics for constituting one portion

of the Zila Parishad is neither necessary nor desirable. In fact, it is anomalous. In Maharashtra, on an average, there are 12 Panchayat Samitis in a district, each consisting of about 66 panchayats. Allowing only 10 members for each panchayat, there will be nearly 700 voters for an electoral college consisting of the members of panchayats. We do not see why this electoral college should not be used to elect besides the Chairman of the Panchayat Samiti, two or three members to the Zila Parishad. The calibre of candidates standing for such an election will not be lower than those now standing for direct election. Besides simplifying the structure of the Parishad, it will keep Panchayati Raj formally out of party politics. The President of the Zila Parishad may also be elected by this college at the same time. No person should, however, be permitted to stand for more than one office at this election.

Summary of recommendations

6.22. We, therefore, recommend :—

(i) The Zila Parishad should have 40—60 members.

(ii) The Chairmen of the Panchayat Samitis comprised in the Parishad should be *ex-officio* members of the Zila Parishad. In addition each Panchayat Samiti should elect another member for the Parishad. In districts having less than fifteen Samitis, a second additional member may also be elected by every Samiti and in those districts, the two additional members may be elected by single transferable vote.

(iii) There should be 8 women members in the Parishad, coopted by its members, out of the women members of the constituent Samitis.

(iv) If the Scheduled Caste population in a district is less than ten per cent, there should be four representatives of Scheduled Castes coopted from such representatives in the Panchayat Samitis. If their population should exceed ten per cent there should be 8 representatives.

For Scheduled Tribes, four representatives should be coopted in like manner if their population is not less than five per cent of the total population

(v) The cooption of the representatives listed in (iii) and (iv) above, will be by single transferable vote, subject to the further condition that no two representatives of women, Scheduled castes or tribes shall be from the same Samiti. These coopted representatives will be in addition to those coming in as Samiti Chairmen or additional elected members.

(vi) The President of the Zila Parishad should be elected by an electoral college consisting of members of the panchayats comprised within the jurisdiction of the Parishad and this election should be held simultaneously with that of the Chairman of the Panchayat Samiti.

(vii) A candidate for the Presidentship of the Parishad need not be a member of a panchayat or a Panchayat Samiti and it would be sufficient if he is a primary voter in any panchayat of the district.

(viii) A candidate who is standing for the Chairmanship of a Panchayat Samiti should not, in the same election, stand also for the Presidentship of the Zila Parishad.

(ix) If there is an interim vacancy in the office of the Presidentship of a Parishad, his successor should be elected for the remaining period by the members of the Parishad.

(x) The Vice-President of the Zila Parishad should be elected by the members of the Parishad.

(xi) The term of office of the Zila Parishad, the President and the Vice President should be five years.

(xii) Every member of the Parishad should be a member of at least one Standing Committee but no one should be a member in more than two committees.

(xiii) The President or the Vice-President of the Parishad should not preside over more than one Committee. The Chairman of these Committees need not be elected but may be nominated by the Parishad President.

(xiv) For coordinating the work of the various committees, there should be an Executive Committee consisting of the Chairmen of all the Standing Committees.

(xv) Where the Zila Parishad is purely an advisory and coordinating body without any executive functions or finances of its own, its composition may be as recommended for other States; but, its President need not be elected by a wide electoral college. It would be sufficient if he is indirectly elected by the members of the Parishad.

(xvi) The District Collector should not be the *ex-officio* President of the Zila Parishad or its Standing Committees.

(xvii) In Maharashtra, direct election to membership of the Zila Parishad is not necessary. The electoral college consisting of members of village panchayats in the Parishad, may elect, besides the Chairman of the Samiti, two or three members of the Parishad. The Parishad President may also be elected by the same electoral college at the same time.

VII. ASSOCIATION OF MEMBERS OF PARLIAMENT AND STATE LEGISLATURES WITH PANCHAYATI RAJ INSTITUTIONS

7.1. The manner in which the Panchayati Raj institutions evolved from the Community Development programme has given rise to the question of association with them of Members of Parliament and State Legislatures. If they had been considered from the first as self-governing institutions with their own specific functions, powers and responsibilities, the question might not have arisen at all. The Community Development Programme began with a strictly official agency. At the block level, there was an advisory Committee to consider and offer advice on the development plans of the block. At the district level also, an advisory committee was set up for advising the Government on matters relating to the development plans of the district and coordination of the activities of the blocks. It was natural that the members of Parliament and State Legislatures should be associated with these advisory bodies.

7.2. The Balwantray Mehta Committee had recommended that Members of Parliament and State Legislatures should be *ex-officio* members of the Zila Parishad. It was soon realised, however, that these members were, by reason of their position and status, dominating the Panchayati Raj bodies. In 1961, in 16 out of 20 Zila Parishads of Andhra Pradesh, the Chairman was a member of the Legislative Council or the Legislative Assembly. In view of these developments, the Central Committee on Community Development presided over by the late Prime Minister Shri Nehru, considered this question at its meeting held on 21st March, 1961. An extract from the summary record of the meeting is reproduced below :—

> "It was agreed that M.Ps. and M.L.As. should be associated in the working of these bodies as *ex-officio* members and as such they should not be eligible either to hold office or to vote. If, however, they become eligible to hold office in these bodies through election from lower levels they should resign either the office in the Panchayati Raj institutions or their membership of the legislature."

This recommendation was not fully implemented in all the States. The present position is that their status in Panchayat Samitis and Zila Parishads varies from State to State (details in Appendix III). It can be classified into the following four categories :—

(i) Full-fledged members with right to vote and to hold office.

(ii) Members with right to vote but not to hold office.

(iii) Associate members without right to vote or to hold office.

(iv) Completely outside the Samiti/Parishad.

7.3. The above decision of the Central Committee on Community Development did not refer to any association of the legislators with any village panchayat. Presumably, it was considered that no M.P. or M.L.A. or M.L.C. would be interested in becoming a member of any particular village panchayat and he could not possibly be expected to be directly

associated with all the village panchayats in his constituency. In many of the Panchayat Acts, there was no prohibition of these legislators from getting elected to the village panchayats. Once they are so elected, they would automatically be entitled to become Sarpanches then members and Chairmen of the Samiti and finally members and Presidents of the Zila Parishads. In Madras, we met a legislator who was a member of all these three institutions in this manner. We think that it is desirable to prohibit a legislator from contesting the elections to the village panchayat. If he is defeated, it will affect his standing as legislator. If he is elected and becomes an office holder, it might become embarrassing for the authorities who are to supervise the panchayat or the Samiti in which he holds office.

7.4. It will be seen that Maharashtra is the only State where the members of Parliament and State Legislatures have not been at all associated with Panchayati Raj bodies. This was done in pursuance of the recommendations of the Naik Committee. It will be of interest, therefore, to note the considerations which weighed with this Committee while making such a recommendation. The main arguments given by the Committee are :—

(i) Decisions on local matters should be taken purely on local considerations and should not be coloured by extraneous issues.

(ii) The presence of Members of Parliament and State Legislatures will discourage free and frank discussions on local issues and thus inhibit the emergence of local leadership.

(iii) The present work load of the legislators is so voluminous that it will be better if they are left free to concentrate on their legislative and other responsibilities which are growing day by day and which require them to be away from their constituencies for the major part of the year.

(iv) Their inclusion in the Panchayati Raj bodies would tend to make the bodies unwieldy.

7.5. We consider that these arguments are logical and if we were starting from scratch, we would like to endorse the exclusion of legislators. They cannot but bring in controversial party politics into the discussions and decisions of these bodies.

7.6. We also found that Members of Parliament do not generally find time to attend the meeting of the Zila Parishad or the Panchayat Samitis. In some Zila Parishads, the number of legislator members exceeded that of other members from the Panchayat Samitis so that the proceedings of the Zila Parishad became rather unreal.

7.7. Many arguments have been advanced in favour of the association of the legislators with these institutions. It is argued that these experienced public workers would raise the prestige of these bodies by their presence and would give to these bodies wise counsel and mature guidance. It is also contended that the legislators will prove to be valuable links between the Panchayati Raj institutions and the State and Central Governments. They may be expected to use their influence to secure more financial support and greater consideration at the hands of Ministers and officials.

7.8. We are not convinced by these arguments. If they were correct, they would have been associated with the Municipal Councils and Corporations. A Member of Parliament, if he attends the sessions of Parliament

regularly and discharges his responsibilities faithfully, cannot find much time to devote to the Zila Parishad and much less to the Samiti. The Members of the State Legislatures may, perhaps, be able to devote a little more time. However, their assumption of responsibility for the decisions of the Panchayati Raj institutions may, on occasions, conflict with their role as legislators.

7.9. The real reason for the anxiety of legislators to be associated with these Panchayati Raj institutions is their desire to nurse their constituencies. It cannot be denied that the Panchayati Raj institutions as dealing with matters of day-to-day importance which, formerly, depended upon the decisions of State officials. By interceding with the latter for the establishment of schools, construction of roads, digging wells, etc., the legislators were able to serve their constituencies and retain their support. Now that the people have to turn to the Panchayati Raj institutions for all these purposes, it is no surprising that many legislators feel that they would lose contact with their constituencies unless they are actively associated with the Samiti and the Zila Parishad.

7.10. We do not, therefore, consider it expedient to exclude the legislators altogether from the Panchayati Raj institutions. At the same time, we are strongly of the view that they should not be full-fledged members. They should be allowed to become only associate members, without the right to vote or to hold office.

Summary of recommendations

7.11. We, therefore, recommend :—

(i) Members of Parliament and State Legislatures should be prohibited from becoming elected members or heads of the village panchayats, Panchayats, Panchayat Samitis or Zila Parishad.

(ii) Member of the Rajya Sabha and the State Legislative Councils who are indirectly elected and who are not direct representatives of voters in any Samiti or Parishad, should not be given any *ex-officio* status in either.

(iii) A Member of the State Legislative Assembly should be an *ex-officio* associate member without the right to vote or to hold office of all the Panchayat Samitis which are wholly in his constituency.

(iv) A Member of Parliament should be an associate member in only one Samiti where he normally resides.

(v) In the Zila Parishad, all Members of Parliament and the State Legislative Assembly, elected by constituencies within the district (except those elected from City constituencies) should be associate members without right to vote or to hold office. If the Zila Parishad is purely an advisory body without any functions or finances of its own, the right to vote has not much political significance and may be given to them.

VIII. REPRESENTATION FOR SPECIAL GROUPS

"Weaker Sections."

8.1. One of the terms of reference of our Committee is to recommend 'measures for ensuring adequate and effective representation of the Weaker Sections on Panchayati Raj bodies.' The first question that arises is, who the weaker sections of rural society are. The Constitution of India provides for special representation to Scheduled Castes and Scheduled Tribes (Anglo-Indians too) for a certain period. In most of the States, special representation is provided in Panchayati Raj bodies to these Scheduled Castes and Scheduled Tribes as also to women. (Details of the present provisions in this regard in the various States are given in Appendices VII to IX.)

8.2. It is obvious that Scheduled Castes, etc., are not the only weaker sections in the villages. The rural population can be classified according to occupation, social position, castes, and income group etc., and 'Weaker Sections should be defined on the basis of economic status as well as educational and social backwardness (48th Report of the Estimates Committee of the Lok Sabha)'. The Study Group on the Welfare of the Weaker Sections handed by Shri J. P. Narayan was of the view that for purposes of economic assistance families with an annual income below Rupees one thousand should be treated as weaker sections.

8.3. This definition may be useful for providing a criterion for extending financial or educational assistance but for special representation in Panchayati Raj institutions, this economic criterion is neither practicable nor necessary. The population involved will be too large. Further, as in most of our villages, the Scheduled Castes, landless labourers and other poorer sections tend to be segregated, our recommendations for single member wards will also have the indirect result of ensuring fair representation to these weaker sections.

8.4. The same argument holds good even for the Scheduled Castes and Tribes to some extent. We feel, however, that as these communities are enjoying a special status in respect of representation to Parliament and State legislatures, it is not desirable to deprive them of similar representation in the Panchayati Raj institutions. It may prejudice a dispassionate consideration of the situation in 1970 when the special representation is due to terminate. It will be unfortunate if any recommendation of ours gives rise to a premature agitation on this issue. We have, therefore, recommended a minimum representation for Scheduled Castes and Scheduled Tribes, by means of reservation in the village panchayat and co-option in the Panchayat Samiti and the Zila Parishad.

8.5. By any tests of poverty or of social status, women cannot be called a weaker section. Yet, owing to traditional subjection and exclusion from public life, women, even belonging to the more prosperous sections of the community, tend to keep out of it. We consider this a great handicap to the progress of the country in all vital matters like health, sanitation and education. We feel, therefore, that the association of women at every level of Panchayati Raj is necessary for its growth. Their active

association will break the tradition of exclusion and bring about a keener political consciousness among the people as a whole. Further, the presence of women in the Panchayati Raj institutions will be particularly useful for greater attention to problems of social welfare, especially, in the field of education, maternity, child welfare, family planning, health, hygiene and handicrafts. We have, therefore, recommended a minimum representation of two women members in a village panchayat, four in a Samiti and eight in a Parishad. During our tours, we found enthusiastic support for such representation.

Cooperatives

8.6. The present position regarding the representation of cooperative institutions in Panchayati Raj bodies is summarised in Appendix XIV. There is no special representation for cooperative societies at the panchayat level except in Madhya Pradesh where the Chairman of the local cooperative society is coopted as a member of the Panchayat if he is not already elected. At the Samiti level, almost all the States provide for some representatives (1-5) of cooperatives, while in the Zila Parishad, such representation is provided in Bihar, Madhya Pradesh, Madras, Maharashtra, Orissa, Rajasthan and Uttar Pradesh.

8.7. The special representation to office bearers of cooperative institutions has not been conducive to the strengthening of either the cooperative movement or the Panchayati Raj institutions. As a matter of fact, many members of the panchayats, Samitis and Parishads are also actively connected with the cooperative movement at various levels in their individual capacities. Therefore, there is no lack of knowledge or interest in cooperation on the part of those who are running Panchayati Raj institutions. The question, therefore, is only whether the cooperative movement should be institutionally represented in the village panchayat, Panchayat Samiti or the Zila Parishad. In many places, it has been pointed out to us that if there is any case for such institutional representation to the cooperative movement in the Panchayati Raj institutions, there is equal justification for the latter institutions to be represented in the cooperative organisations at the appropriate levels. We understand that the idea of any such reciprocity will not be welcomed by the leaders of the cooperative movement. Further, representatives from the cooperative movement, by participating in the elections to the village Sarpanch, Samiti Chairman or the Parishad President, make it inevitable that the differences and factions in the Panchayati Raj institutions are reflected in the cooperative organisations as well. In Gujarat, for instance, the Chairmen of cooperative societies within a taluka elect from among themselves, representatives to the Taluka panchayat. The number of such representatives is as nearly as possible, 1/10th of the *ex-officio* membership of the Taluka panchayat. This has resulted in the introduction of political rivalries in the cooperative institutions there. We found that there is a general feeling in Gujarat that this kind of representation for cooperative societies should be given up and the State Government are already thinking in terms of deleting such provisions from their Panchayat Act.

8.8. We are, therefore, of the view that no special representation should be given to cooperative institutions in any of the Panchayati Raj bodies. If at all it is considered necessary to have some representative of the local cooperative institutions for advice and consultation, they should only come in as associate members without any right to vote or hold office.

Persons with experience of administration & Rural Development

8.9. With a view to get persons with experience and knowledge of administration into the Panchayati Raj bodies. there are provisions in some States (Andhra Pradesh, Bihar, Gujarat, Uttar Pradesh and West Bengal) for a certain number of seats in the Panchayat Samiti and Zila Parishad to be filled in by cooption or nomination of suitable persons (Details in Appendix XV). Experience of the working of this provision has shown that this has often led to some very undesirable results. Politically influential and socially dominant persons who were reluctant to contest for membership in elections have managed to get into the Panchayati Raj bodies as men of experience and wisdom and have tried to dominate these bodies by seizing offices. There are instances of party men or leaders of caste groups being selected against seats reserved for social workers and administrators so that they may participate in the election of the Chairman or the President.

8.10. Thus the main purpose of this provision has not been served. There is, therefore, no point in continuing it. We are of the view that there is no need to coopt or nominate to the Panchayati Raj bodies any specialists or men of experience and knowledge in public administration or rural development. Even if it is granted that a continuous association of such specialists will be desirable, there is no justification whatsoever in giving them a right to vote or hold office.

8.11. In some States, functional Committees are asked to coopt certain specialists. So long as such provisions are permissive and the coopted members do not have the right to vote, there can be no objection to such cooption. But obligatory cooption with the right to vote to the coopted members will infringe upon the exclusive responsibilities of the Panchayati Raj institutions concerned for their own decisions.

Official members

8.12. In Assam, Madhya Pradesh, Madras, Mysore, Orissa and West Bengal, some district level officers of the State Government have been made members of the Zila Parishad. In Madras and Mysore, they have also the right to vote. In Gujarat, Orissa, Punjab, Rajasthan and West Bengal. some revenue officers and block officers have been made associate members of the Panchayat Samitis. Details regarding official members of Panchayat Samitis and Zila Parishads are given in Appendix XVI.

8.13. We are of the view that officials should function only as advisers and not be termed as members of any kind. Though there may be no practical difference between advisers and associate members, we consider it important to keep the Panchayati Raj bodies as popular representative organisations. We do not also think that the officials should have the right to participate in the proceedings of these organisations except when they are called upon to do so. It would, however, be right and useful if the officials of various departments are obliged to attend the meetings of these bodies when their presence is considered necessary and supply information and give advice as and when requested to do so. The Chief Executive Officer will, of course, have to be present in all the meetings and function as official Secretary. He should not be a member with a right to vote.

Summary of recommendations

8.14. We, therefore, recommend—

(i) No representation to any sections other than women and scheduled castes/tribes need be provided in Panchayati Raj institutions.

(ii) There is no need to provide institutional representation to co-operative organisations in the Panchayati Raj bodies. If at all their representation is considered desirable, they should be only associate members without any right to vote or hold office.

(iii) There should be no nomination or cooption of outsiders on the score of eminence or experience.

(iv) Functional Committees may be permitted to coopt outsiders with special experience; but they will be only associate members without any right to vote or hold office.

(v) No official should be a member—full or associate.

(vi) Officials of the appropriate category should attend as advisers whenever requested to do so.

(vii) The Chief Executive Officers should function only as official Secretaries and not as members.

IX. QUALIFICATIONS & DISQUALIFICATIONS

Who can vote ?

9.1. General adult suffrage is the basis of modern representative Government. The constitution of India also gives voting rights in elections to the Parliament and State Assemblies, to all citizens of India who are not less than 21 years of age and are not otherwise disqualified (Article 326). Such disqualifications have been provided in the Representation of the People Act, 1951. A person is disqualified for registration in the electroal rolls if he—

(a) is not a citizen of India,

(b) is of unsound mind and stands so declared by a competent court, or

(c) is convicted of one of the specified election offences under the IPC or the Representation of the People Act, 1951 or is found guilty of any corrupt practice. In this case the disqualification is for a period of six years from the date of conviction etc.

Except when disqualified as above, every person who is not less than 21 years of age and is ordinarily resident in a constituency shall be entitled to be registered in the electoral rolls for that constituency.

9.2. The same disqualifications generally operate for elections to Panchayati Raj bodies also in all the States. In most of the States—Andhra Pradesh, Assam, Gujarat, Kerala, Madhya Pradesh, Madras, Maharashtra, Mysore, Orissa (new Act), Punjab, Rajasthan and West Bengal—every person who is registered in the State Assembly electoral rolls relating to the particular Gram Panchayat area is qualified to vote in the elections to the Gram Panchayat. In fact. the electoral rolls for panchayat elections are copied from the Assembly electoral rolls. In Bihar, Jammu & Kashmir and Uttar Pradesh independent electoral rolls are prepared, for elections to gram panchayats. In these States the legislation separately provides for qualifications and disqualifications for registration in these electoral rolls. These provisions are more or less the same as for the Assembly electoral rolls.

9.3. In some States, however, some additional restrictions have been put on the right to vote. For instance, under the Madhya Pradesh Panchayats Act, 1962 (Section 6) a person is not allowed to vote for 5 years after his conviction under the Untouchability (Offences) Act, 1965.

9.4. We are of the view that such additional disqualifications should not be imposed by Statutes relating to Panchayati Raj institutions. The disqualifications prescribed for registration in Assembly electoral rolls are reasonable. It should be left to the Parliament to prescribe any others as and when necessary. Every person who is entitled to vote in the elections to the Parliament and the State Assemblies should also be entitled to vote in Panchayat elections. It will contribute to the simplification of the elections to the Panchayati Raj institutions if an entry in the electoral list of a State Assembly and Parliament is deemed to be final and irrefutable proof of the right to vote. It should not be open to the returning officer

of a panchayat or Samiti or Zila Parishad election to entertain objections that a particular person was wrongly included in the electoral rolls because he was subject to one of these disqualifications. It should be left to those who are responsible for compiling the Assembly electoral rolls to ensure that all these qualifications are complied with.

Who can be a member?

9.5. We now proceed to the qualifications for standing as a candidate and becoming a member of a village panchayat. One essential qualification is that he must be a voter registered in the electoral rolls of that panchayat. We have already recommended that the further restriction of residence in the constituency or ward should not be imposed.

9.6. At present, a person is generally disqualified from membership of the Panchayat, if he—

(i) is not or ceases to be a citizen of India;

(ii) is of unsound mind;

(iii) is not, or ceases to be, a resident of the Panchayat area;

(iv) is convicted of specified election offences or is held guilty of a corrupt practice in elections. This disqualification attaches only for a certain period.

We feel that the above four disqualifications are superfluous as such persons are not expected to be included in the electoral rolls. As already remarked, the returning officers in Panchayat elections should not have to entertain such objections which ought to have been raised before the officers compiling the electoral register.

(v) is deaf, mute or suffering from leprosy or T.B.—it is difficult to say what stage of deafness, leprosy or T.B. will disqualify a person. The returning officer will not be able to decide about them without much trouble and delay. These disqualifications are therefore unnecessary.

(vi) is an undischarged insolvent.

(vii) is interested in a subsisting contract, etc. with the panchayat.

(viii) is in the service of the Government, or any Panchayati Raj or local body.

(ix) has been dismissed from the service of a Panchayat or a local body or Government for wrongful conduct. Such a person is disqualified for a period of 4-5 years.

(x) is in arrears of any taxes or dues of the Panchayati Raj bodies —this disqualification appears to be recently introduced in almost all the States. The intention is to encourage people to pay up Panchayat taxes. We feel what this provision is liable to be misused. If every candidate has to file a no arrears certificate from the Panchayat, the existing Sarpanch can harass them. Besides, being in arrears of Central or State taxes is not a disqualification for membership of the Parliament or the State Assemblies. It is, therefore, not desirable to prescribe such a disqualification in Panchayat elections.

(xi) is less than 25 years of age—This is provided only in Kerala, Rajasthan and West Bengal. The intention probably is to have more mature persons as members (on the analogy of the State Assembly). But as education has reached the rural areas only recently, it is only in the lower age groups that we are more likely to get educated people in the villages. By barring young men of 21-25 years of age, the advantage of having educated and enthusiastic young men on the village panchayat is lost, while not much advantage by way of maturity is gained. We are, therefore, of the view that it is not desirable to prescribe a higher minimum age for membership of the panchayat.

(xii) has been convicted of certain offences—in most of the States a person is disqualified if he is convicted for an offence involving moral turpitude. In Andhra Pradesh, the disqualification arises only if a sentence of two years or more is imposed while in Orissa the minimum sentence should be three months. In Gujarat, Maharashtra, Madhya Pradesh and West Bengal conviction for any offence is a disqualification if the sentence is imprisonment for six months or more. Conviction for offences relating to untouchability has also been made a disqualification in a number of States. We feel that conviction for an offence should not be a disqualification unless the sentence awarded is imprisonment for two years or more. This disqualification should not be permanent but may extend to a period of 3 years after the sentence is served out.

(xiii) has been bound down for good behaviour—In Assam, Orissa, Punjab and U.P., any person who has been ordered to give security under section 110 of Cr.P.C. (Habitual offenders, bullies etc.) is disqualified. This category of persons certainly should not be allowed to hold any elective posts. Besides, in U.P. persons bound down under Section 109 of the Cr.P.C. are also disqualified. This latter disqualification is not necessary.

9.7. We are therefore of the view that most of the above disqualifications are either superfluous or purposeless. We feel that a person should be disqualified from membership of the Panchayat only if he—

(i) is not registered on the electoral rolls of the panchayat.
(ii) is an undischarged insolvent.
(iii) is interested in a subsisting contract, with the panchayat.
(iv) is in the service of the Government or other local bodies including the panchayat, Samiti and the Zila Parishad.
(v) has been dismissed by any such body for wrongful conduct.
(vi) has been convicted for an offence and sentenced to a term of imprisonment for not less than two years.
(vii) has been bound down for good behaviour under Section 110 of the Cr. P.C.

The disqualifications listed from (v) to (vii) should operate only for a period of three years after the dismissal, expiry of the sentence or the expiry of the period for which he is bound down.

Educational qualification for a member

9.8. At present, no State has prescribed any educational qualification for membership of a village panchayat. In many States we found a considerable volume of opinion for insisting that a member of a village panchayat should be at least literate so that he would be able to read the notices and communications.

9.9. It would certainly improve the working of the panchayats if every member could read and write and understand the communications which he receives from the panchayat office. But there are two difficulties. The first is that it has not been found desirable or expedient to impose such a disqualification for becoming an M.L.A. or an M.P. If an illiterate person can represent a constituency in Parliament or the State Assembly, it will be curious if he is considered unfit to be a member of the village panchayat. As a matter of fact, many influential and responsible citizens in the village are illiterate today because there was no school or they were not sent to school when they were young.

9.10. The second objection is procedural. There should be a machinery provided for certifying whether a candidate satisfies the educational qualifications. This is bound to be vexatious and to give rise to disputes. To prescribe reading upto a particular standard in a school will amount to disqualifying people who are literatre by their own efforts and will also make it necessary to file certificates which may not be easy to obtain. We are, therefore, of the view that it is not desirable to prescribe any minimum educational qualifications for being a member of the village panchayat. We feel, however, that the filing of a nomination paper with the thumb impression of a candidate is undignified. If anyone seriously desires to become a member of a panchayat, it ought not to be difficult for him to learn to sign his name. We, therefore, feel that the candidate should not be allowed to affix his thumb impression but should be obliged to sign his name on the nomination paper.

Special Qualification for a Sarpanch

9.11. In most of the States any one who can become a member of the panchayat can also become a Sarpanch. In U.P., however, a minimum age of 30 years and in Kerala, Orissa, Rajasthan and West Bengal, a minimum age of 25 years is prescribed. We do not think these age restrictions are necessary. They merely put hurdles in the way of enthusiastic youth. The affairs of a village panchayat are not so complicated that a youth of 21 years could not manage them.

9.12. In some State (*e.g.* Orissa and Rajasthan), ability to read and write is also required. The Sarpanch of a panchayat is its executive authority. He has to supervise the work of the Panchayat Secretary. It will, therefore, be desirable if he is able to read and write the local language. The difficulty regarding the proof of literacy will come in here also but we feel that in case of Sarpanches, some extra care on the part of the officer receiving the nominations will be worthwhile. We, therefore, recommend that ability to read and write the local language should be laid down as the minimum qualification for becoming a Sarpanch.

...al Qualificatio for membership/office in Samiti/Parishad

9.13. No special qualifications or disqualifications are prescribed in any State for membership or office in Panchayat Samitis and Zila Parishads. As Sarpanches are to be *ex-officio* members of the Samitis, it is only natural

that the Chairman of the Samiti must at least be as qualified as the Sarpanch. The same would apply with increased force to the President of a Zila Parishad. We, therefore, recommend that ability to read and write the local language should be the minimum qualification for membership or office in the Panchayat Samiti and the Zila Parishad. This will mean that when a panchayat has to elect one or more representatives to the Samiti in addition to the Sarpanch, they will also have to be able to read and write. Otherwise some members of the Samiti may be illiterate—a contingency which we do not like.

Summary of recommendations

9.14. We, therefore, recommend that—

(i) The disqualifications for voters at present embodied in some Panchayat Acts should be removed and instead it should be provided that every voter whose name is included in the rolls of the State Assembly relating to a Panchayat should be deemed to be a qualified voter without any further question.

(ii) Disqualifications for membership in a village panchayat at present embodied in the Panchayat Acts of the various States other than those mentioned below in (iii) are either superfluous or purposeless and may therefore be removed.

(iii) A person should be disqualified for membership only if he—

(a) is not registered on the Assembly electoral rolls (relating to the Panchayat).

(b) is an undischarged insolvent.

(c) is interested in a subsisting contract, etc. with the panchayat.

(d) is in the service of the Government or other local bodies including the Panchayat, Samiti or Zila Parishad.

(e) has been dismissed by any such body for wrongful conduct;

(f) has been convicted for an offence and sentenced to a term of imprisonment for not less than two years.

(g) has been bound down for good behaviour under Section 110 of the Cr. P.C.

The disqualifications listed from (e) to (g) should operate only for a period of three years after the dismissal, expiry of the sentence or the expiry of the period for which he is bound down.

(iv) The failure to pay panchayat dues should not be a disqualification for standing for election to the panchayat.

(v) No educational qualification need be prescribed for membership of the village panchayat. However, the candidate should not be allowed to affix his thumb impression in the nomination paper but should sign his name.

(vi) Ability to read and write the local language should be laid down as the minimum qualification for becoming a Sarpanch. No special age qualifications are necessary.

(vii) Ability to read and write the local language should be the minimum qualification for membership or office in the Panchayat Samiti and the Zila Parishad.

X. CONDUCT OF ELECTIONS

10.1. In this Section we propose to examine the various details concerning the conduct of elections for the village panchayats and other Panchayati Raj institutions. In view of the fact that there are more than two lakhs of village panchayats and each panchayat may have from 9—19 members, the overwhelming importance of simplifying the procedure, economising time, money and effort and preventing needless objections and disputes becomes evident. While we studied the procedures of all the States, those adopted in the recent panchayat elections held in Andhra Pradesh and Madras contained special features of interest.

10.2. We may mention at the outset that we do not favour the suggestion that the election of panchayats may be conducted simultaneously with that of the State Assembly and Parliament. Firstly, the administrative arrangements for elections to Parliament and State Assemblies have to be on a higher level involving more senior officers. Secondly, simultaneous election to panchayats and the Parliament and State Assemblies will tend to submerge the panchayat elections in those of the higher bodies. Panchayati Raj, of which the village panchayat is the foundation should have a distinct and separate importance of its own in the minds of the rural people. Besides, an average voter is apt to get confused if the two elections are held simultaneously. The members of the Panchayat and the Sarpanch have to be elected on local considerations while the members of Parliament and State Legislatures are to be elected on considerations of national and State policies. We, therefore, consider it essential that the elections to Panchayats should be held at a time which does not clash with the general elections to Parliament and State Assemblies.

Overall Supervision

10.3. In some of the States, the Chief ... Election Co... Officer of the State who is responsible for the conduct of ele... ...ent and the State Assemblies under the supervision of th... ...pervision of Panch... has also been made responsible for the overall su... ...ority for these elections. He is also the final election au... ...elections. ...sider that this is an eminently desir... ...able arrangement.

Electoral rolls

10.4. In Section 9, para 2, we have pointed out that while in most States, the electoral rolls for the panchayats are the same as those for the State Assemblies, separate electoral rolls are prepared by some States. For instance, in U.P., the panchayat rolls are prepared and maintained by the Panchayat Secretary. We heard vehement objections to this procedure. We are emphatically of the opinion that there should be only one authorised electoral roll in a State and that should be the roll maintained for the State Assembly and Parliament. If the panchayat areas are stable, there should be no difficulty in preparing these Assembly rolls Panchayat-wise. Each panchayat may be given a serial number and a separate part of the roll prepared for it. If this is done, it should be easy to supply the village panchayats with the lists of voters by simply detaching the part containing its voters. Otherwise, the task of supplying copies of electoral rolls in Panchayat elections will be a difficult job.

10.5. The electoral rolls for the State Assembly are revised every year and an intensive revision is undertaken before the general elections. If the Panchayat elections are held in a different year, there may be another intensive revision before such elections. This will help in keeping the Assembly rolls up-to-date and correct. As such revision will take place under the supervision of the Election Commission, there will be little scope for complaints and malpractices. We have no doubt that the cost of the intensive revision will be much less than that of keeping separate rolls specially for panchayat elections.

10.6. The procedure regarding applications for inclusion of new names in the electoral rolls for elections to the State Assembly is laid down in Section 23 of the Representation of the People Act, 1950. Normally, the application is made to the Electoral Registration Officer of the Constituency. If the application is rejected an appeal lies to the Chief Electoral Officer But, if the application is made at any time after the issue of notification calling upon that constituency to elect its representative, it should be addressed to the Chief Electoral Officer. An appeal against rejection in this case lies to the Election Commission. We do not think that all those refinements should apply to the panchayat elections. The elecotral register, as it exists at the time of issuing the notification announcing the panchayat elections, should be deemed to be final. As the panchayat constituencies are usually small, the inclusion at the last minute of even 20, 30 voters may change the results of elections. We, therefore, feel that no changes should be made after such announcement.

Nomination of candidates

10.7. We have found that, in a number of States, the procedure for nomination of candidates for Panchayat elections is almost the same as for the General Elections. There are complicated forms prescribed for the purpose; there has to be a proposer, a seconder and a security deposit too We are of the view that all these are unnecessary in the case of elections to panchayats. First ... there is no necessity of a proposer or a seconder. There should ... ation of nomination form merely requiring the candidate to expres... earlier, signed by ... sting the election. The form should be, as rec... candidates are also required ... ounts in all the States except Bihar, ... to give security deposits of ... engal. The taking of the deposit and then Orissa, Rajasthan, U.P. and ... ut percentages of votes polled for every ward of ... refunding it after work... be an unnecessary administrative complication. We ... the panchayat appears the security deposit should be abolished but in order to disc... would suggest that nominations, a non-refundable nomination fee may be pres... courage frivolous following rates :— ... scribed at the ... wed ... sign ... d

(i) Rs. 5 for membership of village panchayats.

(ii) Rs. 10 for Sarpanch.

(iii) Rs. 25 for Samiti Chairman.

(iv) Rs. 50 for Parishad President.

As these fees are small, it is not necessary to provide any concession in the above fees for Scheduled Castes or women. The proceeds of the fees may be handed over to the respective Panchayati Raj institutions.

10.9. If our recommendations regarding qualifications and disqualifications are adopted, the scrutiny of nomination papers and the disposal of appeals against such scrutiny are likely to become simple formalities and should be capable of being disposed of within three days or, perhaps, even on the same day on which the nomination papers are filed. An appeal against scrutiny should be provided only where the nomination paper is rejected.

Ballot papers

10.10. As we have already pointed out, the number of members to be elected to village panchayats all over the country will be of the order of 20 lakhs. Even allowing only two candidates on an average for a seat, the total number of types of ballot papers required will be of the order of 40 lakhs. If for each ward in a village, ballot papers containing the names and symbols have to be prepared, the problem becomes extremely difficult and enormously costly. The time involved in preparing these ballot papers will also be considerable. Therefore, we are convinced that for panchayat elections, standard ballot papers consisting only of symbols should be used. These symbols should be entirely different from the party symbols used in the elections to Parliament and State Assemblies. They should also not be such as to suggest any association with religious or communal sentiments. If such ballot papers are kept ready, the mechanics of conducting elections becomes exceedingly simple.

10.11. While we were evolving this idea, we found that the Andhra Pradesh Government had actually adopted it and that it enabled them to conduct the panchayat elections throughout the State very speedily and efficiently. In the recent panchayat election in Madras State, the Government of Madras also had adopted this method. We have no doubt that this deserves to be adopted universally for all elections to village panchayats throughout India. We suggest that all the other States may utilise the experience of Andhra Pradesh and Madras in relation to the printing of these ballot papers so that they may be used for any number of candidates contesting in a ward without any wastage. (Specimens of ballot papers used in Andhra Pradesh and Madras are shown at Appendix XIX).

10.12. In order to avoid preferences and prejudices in the allotment of symbols, the Andhra Pradesh Government adopted the device of arranging the candidates in alphabetical order and assigned the symbols in that order. In Madras, the symbols were allotted by lots. Either of these methods may be adopted. Each candidate is sure to inform the voters of the symbol allotted to him; but, in order to prevent misunderstanding, notice boards indicating the names and symbols of candidates, should be prominently displayed at the polling booths.

Polling

10.13. If our recommendation regarding compulsory voting is adopted, the process of polling is bound to be speeded up. It is desirable to have a separate booth for each ward. But, it is not necessary that they should be located in separate premises except where the area is so large that voters will have to walk long distances.

10.14. As the Sarpanch has to be directly elected simultaneously with members, there should be two ballot boxes in every polling booth and ry voter would have to be issued two ballot papers, one for the ward

membership and one for the Sarpanch. It may be desirable to have the ballot papers for the members and the Sarpanch in different colours. As the number of voters per polling booth will not be large, the polling should be over by mid-day. Counting of votes and declaration of results should be made, as far as possible, on the same day.

10.15. We have recommended that the Chairman of the Samiti and President of the Parishad should be elected by an electoral college co ing of the members of the village panchayats comprising the Samiti shad. The election for these two offices should, therefore, be held taneously. The nomination papers of candidates for Chairmans be received at the Samiti headquarters and those for the Preside district headquarters within a few days of the elections of the members.

10.16. In the recent elections in Rajasthan, where the Samiti man was elected by an electoral college of all Sarpanches and memb Panchayats, the polling was conducted at only one polling station a Samiti headquarters, where all the electors were expected to collect. led to the opening of camps by candidates where indiscriminate feasting and other undesirable practices were indulged in. We, therefore, recommend that polling stations for the election of Samiti Chairman and Parishad President should be set up in each panchayat or if this is found to be difficult, there should be a polling station for every small group of 3—5 panchayats. Here again, the ballot boxes—one for the Chairman and another for the President—will have to be provided at each polling station so that the voting can go on simultaneously. As recommended earlier this polling should take place within 14 days of the Panchayat elections.

10.17. In this case also the voting should be by the marking system on ballot papers with symbols only, as in the case of panchayat elections. As many members of the panchayats may not be literate, the use of only names on the ballot paper is not practicable. Perhaps ballot papers with special sets of symbols to be used exclusively for the election of the Samiti Chairman and the Parishad President may be desirable in order to avoid confusion.

Time taken in Panchayati Raj elections

10.18. The need for conducting the Panchayati Raj elections in the minimum possible time cannot be over-emphasis. This is essential not only to save the time and labour of thousands of officials who will have to neglect their normal work for the purpose; but an even greater reason is that the shorter the time, the lesser will be the opportunities for undue influence and corrupt practices. We are convinced that it should be possible to complete them within a period of two months from the date of the announcement of the elections to the panchayats to the completion of those to the Zila Parishads. We are given an illustrative time scheduled at the end of the Section.

Corrupt Practices

10.19. There are provisions relating to corrupt practices in the Panchayat Acts and the Rules of various States. Except for the provision relating to election expenses, we think that all the States should adopt the list of corrupt practices given in the Representation of People Act 1951. It is not suggested that the candidates at the elections to the

Panchayati Raj institutions should be free to spend as much as they like. The submission of the return of election expenses in panchayat elections and their scrutiny will be administratively too difficult to be worthwhile. It is also well-known that the provisions relating to such expenses in the Assembly and Parliament elections have not been effective. As a matter of fact, at present, no limits of expenditure have been prescribed in any State, nor is any return of election expenses called for.

10.20. We have found that, besides actual bribery, some candidates spent disproportionate sums of money on the hiring of motor vehicles and the running of camps for voters where they and their friends were lavishly entertained. Special measures have to be taken to stop these practices in elections of Samiti Chairmen and Parishad Presidents where the voters are to be only members of village panchayats. Bribery is already listed as a corrupt practice in all the States. Organising of camps for voters where they are provided with food and drinks should be strictly banned. Appropriate restrictions should also be placed on the number of motor vehicles used and the manner of their use by the candidates and by those who are working for them.

10.21. We also recommend that during the week preceding the Panchyat elections and for three days preceding the elections of the Samiti Chairman and the Zila Parishad President, all liquor shops should be closed in areas where there is no prohibition. Simultaneously measures should be taken to prevent illicit distillation.

Jurisdiction of Courts

10.22. During our visit to Assam, it was pointed out to us that there had been much interference by Civil Courts in the conduct of panchayat elections in that State and that a number of stay orders had been issued by them. In the recent panchayat elections in Madras also, elections to about 85 panchayats had been stayed by the High Court of Madras on writ petitions under Article 226. Such petitions have been prevented in the case of elections to Parliament and State Assemblies by Article 329 of the Consituation which reads as follows :—

"Not withstanding anything in this Constitution—

(*a*) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under article 327 or article 328, shall not be called in question in any court;

(*b*) no election to either House of Parliament or to the House or either House of the Legislature of a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature."

It is essential that a similar protection should be given in respect of the conduct of Panchayati Raj elections and the State laws relating to such elections.

10.23. In addition to the above, Section 30 of the Representation of the -eople Act 1950 and Section 170 of the Representation of the People Act,)51 provide that no Civil Court, has jurisdiction to entertain any question

relating to the legality of actions taken by or under the authority of Electoral Registration Officers and Returning Officers. Similar provisions exist in respect of panchayat elections as well, in some States and we would recommend that they should be incorporated in the Acts of remaining States also.

Free and fair elections

10.24. One of the specific terms of reference of our Committees is to recommend "measures required to ensure free and fair elections to Panchayati Raj bodies and the desirability of setting up a State Level Commission for the purpose". We have already suggested that the Panchayat Elections should be conducted under the superintendence of the Chief Electoral Officer of the State. We have also recommended that the Assembly Electoral Rolls, prepared under the supervision of the Chief Electoral Officer, should be used in Panchayat elections as well. As the Chief Electoral Officer is appointed in consultation with the Election Commission it is expected that he would be able to conduct the panchayat elections also with the same impartiality as the elections to Parliament and the State Assemblies. In our opinion these measures are sufficient to ensure that the elections are free and fair and we do not think it is necessary to have a separate Election Commission at the State Level.

10.25. We do not think that there would be any difficulty for the Chief Electoral Officer to arrange for the proper conduct of Panchayat elections. The Election Commission of India also consists of one member and there has been no difficulty in the arrangements for the elections to the Parliament and the State Assemblies. After all, the actual elections have to be conducted by the District Collector and his subordinate officers and the Chief Electoral Officer only exercises overall supervision.

Summary of recommendations

10.26. We, therefore, recommended :—

(i) Elections to Panchayati Raj institutions should not be held simultaneously with the elections to Parliament and the State Assembly.

(ii) The Chief Electoral Officer of the State, who is responsible for the conduct of elections to Parliament and the State Assembly, must be the statutory Election Authority supervising the elections to Panchayati Raj institutions also.

(iii) The Electoral rolls maintained for elections to the State Assembly and Parliament should be used in panchayat elections also. For purposes of facility, these rolls should be maintained panchayat-wise. Each panchayat may be given a serial number and a separate part of the roll prepared for it.

(iv) The electoral rolls as they exist at the time of issuing the notification announcing the Panchayat elections should be deemed to be final. No additions or alterations should be permitted after such notification.

(v) There is no need for a proposer or seconder for nomination of candidates in panchayat elections. A simple nomination paper requiring the candidate to express his intention of contesting the elections should be enough.

(vi) No security deposit should be prescribed at the time of filing nominations; but in order to discourage frivolous nominations, a non-refundable nomination fee at the following rates may be prescribed :—

(*a*) Rs. 5 for membership of village panchayats.

(*b*) Rs. 10 for Sarpanch.

(*c*) Rs. 20 for Samiti Chairman.

(*d*) Rs. 50 for Parishad President.

(vii) An appeal against scrutiny of nomination should be provided only where the nomination paper is rejected.

(viii) For Panchayat elections, standard ballot papers consisting only of symbols should be printed in advance and kept in stock. The symbols should be different from the party symbols allotted in the elections to Parliament and State Assemblies and should be such that they do not suggest any association with religious or communal sentiments.

(ix) The candidates should not be given choice for symbols. They should either be allotted by lot or in alphabetical order. For the convenience of the voters, notice boards indicating the names and symbols of candidates should be prominently displayed at the polling booths.

(x) As the Sarpanch has to be directly elected simultaneously with the members, there should be two ballot boxes in every polling booth and every voter would have to be supplied with two ballot papers—one for the ward membership and the other for Sarpanch. It may be desirable to have the ballot papers for the members and the Sarpanch in different colours.

(xi) Elections to offices of Chairman and President will be held simultaneously and two ballot boxes—one for the Chairman and another for the President—will have to be provided at each polling station set up for the purpose. There should be one polling station in each panchayat or in a group of 5—7 panchayats. Voting should be by marking system on ballot papers with symbols only. These symbols should be different from those used in Panchayat elections.

(xii) The elections to Panchayati Raj bodies should be completed within a period of 2 months after the notification. An illustrative time schedule is given at the end of the Section.

(xiii) The list of corrupt practices given in the Representation of the People Act, 1951, with the omission of the one relating to election expenses, may be adopted for Panchayat elections also.

(xiv) The following administrative steps may be desirable, specially during the elections to Samiti Chairman and Parishad President :—

(*a*) Organising of camps for voters where food and drinks are served, should be banned.

(*b*) Appropriate restrictions should be placed on the number of motor vehicles used and the manner of their use by candidates and by those who are working for them.

(*c*) In non-prohibtion areas, liquor shops should be closed for one week preceding the panchayat elections and for 3 days preceding the election of the Samiti Chairman and the Parishad President.

(xv) With a view to prevent undue interference by courts in the conduct of panchayat elections, Article 329 of the Constitution should be made applicable to matters relating to such elections also. Besides, provisions similar to Section 30 of the Representation of the People Act, 1950 and Section 170 of the Representation of the People Act, 1951 should also be made in respect of elections to Panchayati Raj institutions.

(xvi) There is no need for a separate Election Commission for every State for panchayat elections. The overall supervision of the Chief Electoral Officer should be sufficient to ensure free and fair elections.

AN ILLUSTRATIVE TIME SCHEDULE FOR ELECTIONS TO PANCHAYATI RAJ

Elections to Panchayats :

Date of notification announcing elections	'X'
Date for receiving nomination	X—8 days.
Date for scrutiny	X—9 days.
Last date for withdrawal	X—12 days.
Appeals against scrutiny	X—13 days.
Publication of final list of candidates	X—16 days.
Polling & counting to commence on	X—20 days.
Polling, counting and declaration of results in the entire State to be completed on	X—30 days.

Elections to Chairman of Samiti and President of Parishad

Publication of list of members of Village panchayats and issue of notification for elections	X—33 days.
Date of receiving nominations and their scrutiny	X—38 days.
Last date of withdrawals and appeals against scrutiny	X—40 days.
Publication of final lists of candidates	X—42 days.
Polling	X—48 days.
Counting and declaration of results	X—45 days.

Cooption of Representatives of Women and Scheduled Castes/Tribes to the Samiti and Elections of Additional Members to Zila Parishad

Publication of list of Sarpanches to be members of Samitis	X—35 days.
Notice to be issued to Chairman and *Ex-officio* members of panchayat Samiti for a meeting to be held for the above elections	X—45 days.
Meeting of Samiti and cooption of representatives of women and Scheduled Caste/Tribe to the Samiti and thereafter election of additional members for Zila Parishad	X—52 days.

Cooption of Representatives of Women and Scheduled Caste/Tribe to the Parishad

Publication of list of members of Zila Parishad and issue of notice for above election	X—53 days.
Meeting of Parishad for cooption of representatives of women and Scheduled Caste/Tribe	X—60 days.

In case of Kerala and Orissa, where village panchayats have to elect additional representatives for the Samiti, the meetings of village panchayats may be called to elect them between the dates X—33 and X—45.

XI. THE ROLE OF POLITICAL PARTIES

11.1. By one of the terms of reference, we have been asked to make recommendations as to "whether and to what extent political parties should participate in Panchayati Raj elections". This is certainly one of the most controversial issues we have to deal with.

11.2. There are two sharply opposed schools of opinion on this matter. The Sarvodaya school, which includes workers of eminence like Sri Jayaprakash Narain, is opposed altogether to political parties and party politics. They would like to rebuild Indian democracy on the basis of the Gram Samaj at the bottom and upper tiers at the Samiti, district, State and All India levels, each level being constituted by indirect elections from the lower tier. They believe that by this method, the principle of consensus if not unanimity, will prevail in all levels of administration and all the evils of electioneering and party politics which they consider to be inescapable from any system of Parliamentary democracy will be eliminated. No one can deny that this line of reasoning has a fine moral appeal and in view of the fact that a vast majority of our rural population are illiterate and ignorant, the desire to save them from becoming pawns in the contest for power by political parties and ambitious pressure groups is an end which should be welcomed by all disinterested people.

11.3. Supporters of parliamentary democracy reject this view on the ground that it is visionary and will lead to some form of totalitarianism. They feel that parliamentary democracy based on organised political parties and direct elections is the only and certain means of effective democratic government.

11.4. The main issue before us is whether the Panchayati Raj institutions could be isolated from this ideological struggle. The supporters of party politics argue that so long as elections to the Parliament and State Legislatures are fought on party lines and the Central and State Governments are ruled by political parties, it is not possible to exclude party influence from the Panchayati Raj institutions. These institutions may be mainly administrative bodies, but they are also centres of power and influence and those who man these bodies will have a considerable pull in the elections to the State Assembly and Parliament. On account of this fact, they hold that no political party can afford to ignore these institutions except at its own peril. They also believe that active participation by political parties in Panchayati Raj institutions will prove to be a powerful solvent of all the traditional barriers of caste, community and religion which are still strongly entrenched in our rural areas. It would appear that there is no meeting point between these two schools of opinion.

11.5. It may also be pointed out that off and on, before the advent of independence and after, there have been proposals for political parties not to contest municipal elections. Occasionaly, all the parties have held aloof from such elections. There have also been cases where particular parties, for tactical reasons, have abstained from such contests, even though other parties did not do so. But these resolutions to abstain have not been kept for any length of time.

11.6. There is, however, the hopeful fact that all political parties have, so far, generally abstained from direct participation in the primary elections to panchayats. They have done so far tactical reasons and in their own self-interest. In the village where it is difficult to put across party programmes relating to national and state politics, it is not advantageous to any party to divide the people sharply for and against itself. In any case, with small wards of 100 to 500 voters, locally prominent men are bound to succeed in many wards. These persons are not likely to gain much by adopting party labels. Therefore, all political parties have generally left the primary panchayat elections alone and tried to enroll the elected members of the panchayat in their party. There have undoubtedly been exceptions to this rule—in some of the panchayat elections in Madras held recently, there have been straight struggles between the Congress and the Communist parties. Still, the fact that in Andhra Pradesh 45 per cent of the panchayats had unanimous elections and in the recent elections in Madras 36.3 per cent of the panchayat members elected were unoposed does indicate that local factors prevail to a considerable extent.

11.7. We may frankly rule out any idea of putting any kind of legal ban on the political parties against trying to influence the panchayat elections. It will be almost impossible to define what amounts to party interference or influence. Besides, so long as these Panchayati Raj institutions have any real power and wield any influence among the people by the exercise of such power, there is bound to be a struggle among the political parties, directly or indirectly, to put their own men in positions of power in these bodies.

11.8. The use of party symbols in Panchayat elections is not permitted in any State except in Kerala and even there, such symbols have not, in fact, been issued so far. We consider that this is a salutory provision and has enabled the villagers to choose their members with comparative freedom. While political party influences cannot be legally banned, it is, in our view, wrong and unnecessary to encourage their entry into the village by the provision of party symbols. If our recommendation for direct election of Sarpanches is accepted, their election also should be held without party symbols. In other words, no official recognition should be accorded to political parties at the village panchayat level.

11.9. To the extent that membership of the Samiti is *ex-officio*, it is obvious that political parties are formaly excluded there also. It has been a general experience that the Chairmanship of the Panchayat Samiti (except in Maharashtra) has become one of the most coveted posts in public life. It follows, therefore, that political parties have been anxious to get their party men as Chairman. We are afraid that there is no way of excluding this altogether. But a large number of members of the village panchayats are not committed to any political party and there should be no surprise that when the Chairmen are chosen by an electoral college consisting of members of panchayats in accordance with our recommendations, many of them will be elected more for their personal merits than for party allegiance. Whether formally a Chairman is a non-party man or belongs to a political party should not be a matter of much importance. The fact that he has been elected by a large number of members of village panchayats who were themselves elected on their own merits is bound to tell in the case of a large number of Panchayat Samitis. Here again, the practice at present is not to issue any party symbols and it is our opinion that this should continue.

11.10. According to our recommendations, the Zila Parishad will consist of the Chairmen of the Panchayat Samitis and members elected by the Samitis. The President of the Parishad will be elected, like the Chairman of the Samiti, by the electoral college of members of panchayats. Therefore, the same considerations which we have advanced for the Samiti will hold good for the Zila Parishad also. The chances of non-party men of eminence becoming Presidents of Zila Parishads are at least equal to those of party men. Here again, we are assuming that no official recognition in the form of party symbols would be accorded.

11.11. Besides refusing party symbols, we are also of the view that no representations should be entertained from any political parties as such on any matter concerning Panchayati Raj institutions or elections to them. All such representations should come either from individuals or non-party organisations interested in the growth of Panchayati Raj, such as Panchayat Parishads. In particular, no such representations should be entertained regarding changes in the areas of Panchayat Samitis or Parishads, or the delimitation of wards in a panchayat or other matters relating to conduct of elections to these institutions and supervision over them.

11.12. Mere official non-recognition of political parties in the form of refusal of party symbols and party representations will not amount to the exclusion of party politics which is ardently desired by the idealists. At the same time, it will help, to some degree, to arrest the division of panchayats, Samitis and Parishads into sharply opposed political groups. This is of great importance because these executive bodies are not harmonious and disciplined cabinets formed out of a majority party in a bigger assembly. They are necessarily composed of persons of differing views. If rigid stratification of groups on political lines are allowed to be formed in these bodies and the members are not free to decide each question on merits, these institutions will cease to be effective.

11.13. In the case of Maharashtra, where direct elections to the Zila Parishads are held, they are run on party basis and the candidates are issued party symbols. We have pointed out that the *ex-officio* members are at least formaly non-party men. We do not consider that this kind of combination of party and non-party members will contribute to a healthy public life. We have, therefore, suggested the abandonment of direct elections and the holding of elections by electoral colleges of membrs of village panchayats. Then the formal recognition of parties in those elections also can be avoided, and the Panchayati Raj in Maharashtra will be in line with that of the rest of India.

Summary of recommendations

11.14. We, therefore, recommend—

(i) There should be no legal provision prohibiting political parties from influencing Panchayati Raj elections.

(ii) No political party symbols should be issued in any elections to Panchayati Raj institutions.

(iii) No representations from political parties should be entertained in relation to Panchayati Raj institutions.

(iv) Official recognition should not be accorded to political party groupings among members of Panchayati Raj bodies.

XII. THE SCOPE FOR UNANIMITY IN PANCHAYATI RAJ ELECTIONS

12.1. By another term of reference, we have been asked to report "How far unanimity in elections is practicable consistent with the growth of democratic processes". Here again, two conflicting ideas are implicit in the issue. One is that the general spirit of unanimity and consensus by which village affairs have been conducted from time immemorial should be preserved and continued as far as possible. The other is that progressive forces should not be suppressed to produce artificial unanimity.

12.2. No one can question the desirability of a village functioning as one joint family. For this unanimity or consensus has to be promoted. It may be presumed that so far as village life is concerned, there should ordinarily be not many matters on which there should be controversy or conflict.

12.3. At the same time, it has to be realised that unanimity and consensus have been maintained in the villages through two factors which are bound to be of diminishing importance under the forces prevailing in Free India. One is the traditional structure of Indian society divided into castes and sub-castes, each of which regulate internal matters by its own caste or sub-caste panchayats. The second is that it is the custom to decide common matters relating to the village by informal gathering of the recognised elders of the various castes and sub-castes including leaders of non-Hindu communities, Muslims, Christians, etc. Whenever such a committee of elders is not able to agree on any particular matter or about the voluntary contributions to be raised, the matter is left pending till a change of opinion brings about such unanimity and consensus.

12.4. The democratic processes that have been set in motion do not recognise the traditional authorities of castes and sub-castes but actually encourage enterprising individuals especially among the youth, to discard and defy these age-old distinctions and restrictions and bring about a new social structure based on equality. With its usual spirit of adaptability, the Hindu community in many villages has tried to adapt itself to the new spirit, not so much by abandoning caste altogether, but, by restraining its sway to a few exclusively domestic matters like marriage. While it is hardly possible in a village to have an inter-caste or even an inter-sub-caste marriage, it has become a common phenomenon to have inter-dining even on such occasions as a caste marriage. On other public occasions, like a conference or a public meeting at which a prominent leader from outside has come to address the village or duri the celebrations of the Republic Day and other National celebrations, it has become a general practice to discard all distinctions. The process is still far from complete and it is only when education up to 14 years has become universal and inter-communication between the villages and the urban areas has developed much further that a wholly casteless society in the narrower sense will become a real possibility. Meanwhile whether democratic processes and the hierarchical society of the village will mutually accommodate themselves or come into conflict, will depend upon the temper and leadership of each village.

12.5. Many Sarvodaya workers are of the view that before the formal elections to the panchayat, there should be an informal meeting at which attempts must be made for an agreed choice of the Sarpanch and the members. These will then be formally nominated and elected without a contest. In our tours, we have come across some villages where this procedure has worked successfully. But, we have come across villages where this anxiety for unanimity and consensus has meant the continuation of the traditional authorities and the suppression of the new spirit of youth. In Gujarat, we visited a village where the panchayat had been unanimously elected for many terms without any change of personnel. When we put the question whether there were no other persons fit to serve in the panchayat and why the same persons were elected continuously for long periods, the only reply was that no one wanted a change. We also visited another village where again the panchayat was elected unanimously, but, a conscious effort had been made to recruit new members and obtain the enthusiastic assent and cooperation of all the people:

12.6. In some States, special incentives have been provided to encourage unanimity. In Andhra Pradesh, where village panchayats were promised substantial cash prizes for unanimous elections, 45 per cent of them qualified for the prizes to the financial embarrassment of the State authorities: In Punjab, where similar, but smaller, incentives were provided in 1960 elections, 30.5 per cent of the panchayats qualified. We found however, that unanimous elections were fairly common even where no incentives were offered. In the 1963-64 elections in Punjab, when the former incentives were withdrawn, the percentage of unanimity fell only slightly to 28. In Maharashtra 33 per cent and in the recent elections in Madras 36 per cent of the seats were uncontested:

12.7. We are of the view that the securing of unanimity through incentives like cash prizes, is not desirable. Though, in the short term, they may succeed in securing unanimity by enabling the majority of a village to suppress the minority on the ground that contest will cause pecuniary loss the village, their moral effect will not be wholesome. Cash prizes for good conduct are bad enough even in schools where children are concerned. They are positively undesirable as a method of persuading adults. If such cash incentives are to prevail generally, the net financial effect will be to redistribute the grants available to the villages, penalising those where public life might be keener.

12.8. We are convinced that as the novelty of the elections subsides, unnecessary and avoidable contests will automatically disappear, whenever there is a candidate who commands general respect in his ward. In other cases, contests are both healthy and educative. Avoidance of contests on a large scale may mean the suppression of youth and it may stunt the growth of Panchayati Raj itself.

12.9. While we are against any artificial inducements for unanimity, we are not against active propaganda and intelligent promotion of the spirit of unanimity and consensus. This should be undertaken by voluntary organisations like the Panchayat Parishads, which will be able to discriminate between conditions where unanimity is healthy and desirable and those where contests will be necessary and invigorating. It should be possible for the representatives of such organisations to convene informal meetings in the villages and see if unanimity could be achieved. It should also be possible for them to classify villages according to the nature of

their social conditions and besides trying to promote unanimity in elections they make special efforts to assuage bitterness and reconcile conflicts which are based on caste, communal or religious rivalries.

Summary of Recommendations

12.10. We, therefore, recommend—

(i) No cash prizes or material inducements or incentives should be offered for unanimity in panchayat elections.

(ii) Non-official organisations, like the State Panchayat Parishads, should be encouraged to do propaganda for unanimity and consensus and help to reduce bitterness and conflict based on caste, communal or religious prejudice.

XIII. SUPERVISION AND CONTROL

13.1. The future of Panchayati Raj institutions especially in their early stages when traditions are in the process of being built up, depends, to a large extent, on wise guidance, supervision and in relation to mistakes and failures, clear directions, firm control and in the last resort supervision, dissolution and re-election. All the Panchayat Acts provide for all these purposes; but, there is considerable confusion in the objectives, methods and agencies used.

13.2. First of all, there is no clear idea as to whether the village panchayat, the Samiti and the Zila Parishad should be treated as separate autonomous self-governing units or a close-knit hierarchy in which the village panchayat is sub-ordinate to the Samiti which, in turn, is subject to the Zila Parishad. The States in which this matter has been clearly thought out are Madras and Maharashtra, but their conclusions are different.

13.3. In Madras, the village panchayat and the Samiti are considered to be two district institutions, each with separate individualities, neither being subject to the other. The Panchayat Samiti has no supervisory powers over the village panchayats. The former does function as a sort of Treasurer; but, this is a pure administrative arrangement without any power of supervision, direction or control. The budgets of the village panchayats are scrutinised by the officials responsible to the District Collector in the last resort. The same is the case with the Panchayat Samiti. The District Development Council, which corresponds to the Zila Parishad in other States, is a purely advisory body without any executive functions or administrative authority. The District Collector and his sub-ordinate officers at the Sub-Divisional and the Tehsil level are the main authorities who are entrusted with the powers of inspection, supervision, direction and control of both the Panchayats and the Panchayat Samitis.

13.4. In Maharashtra, on the other hand, the Zila Parishad is the main Panchayati Raj institution with the powers of supervision, direction and control over the Samitis and the village panchayats. The Samiti is actually a direct agent of the Zila Parishad. The village panchayat, though it has a distinct statutory basis and has some independent financial resources, is still under the direct supervision of the Zila Parishad. The Secretaries and other functionaries of the panchayats are the servants of the Zila Parishad, which recruits, appoints and has the power of disciplinary action over them.

13.5. In all the other States, the position seems to be midway between these two. As this issue of supervision and control is not a direct term of reference to our Committee, we have not examined this matter in detail. Still, as the proper functioning of the Panchayati Raj institutions which is the main objective of all our recommendations, is intimately bound up with this issue, we wish to record our views on it.

13.6. First of all, we think it should be accepted in principle that the Panchayati Raj institutions should not be considered as a hierarchy. The village panchayat, the Samiti and the Zila Parishad should be treated as

concentric circles, each equally important and autonomous in its own sphere but differing only in the areas of their jurisdiction and the functions separately assigned to them on the principle that the larger body steps in where the smaller cannot function effectively. There should be no difference in legal status between them. From this it follows that, it will not be proper to give to the larger body powers of supervision, direction and control over the smaller. From the composition of the Panchayat Samiti, which consists mainly of the sarpanches of the panchayats, it will also be clear that in practice, the Samiti cannot be an effective agency for supervision or control. It will either be nominal, in which case, it is superfluous and if it is effective, the sarpanch who is a member of the Samiti will be put in an embarrassing position.

13.7. In many Acts, therefore, the supervisory functions have been vested with the Collector which, in effect, means that the Panchayati Raj institutions are subject to the supervision of the Sub-Divisional Officer, Tehsildar and other officers of the Revenue Department. This obviously detracts from the dignity and the independence of these bodies. Besides, these officers have their hands full with other functions and Panchayat work, often finds a very low priority in their scheme of things.

13.8. The Sadiq Ali Committee, appointed by the Government of Rajasthan, have recommended that for the supervision of Panchayati Raj bodies there should be District Tribunals at the district level and a State Tribunal at the State level. The District Tribunals should consist of the President of the Zila Parishad, the District Collector and a judicial member of the status of a District Judge (Chairman). The State Tribunal should consist of a judicial member of the status of a High Court Judge (Chairman), the Development Commissioner and one representative of the State Panchayati Raj Advisory Council. The functions of these Tribunals are mainly supervisory. These tribunals should be able to do their work with reasonable independence and fairness but we feel that the problem of prompt disposal of panchayat cases may not be solved by them. Besides, supervision is essentially an administrative work and it can be effective and useful only if it is entrusted to persons who have an intimate knowledge of the working of Panchayati Raj bodies and their difficulties. It calls for a sympathetic understanding of the conditions under which these bodies function so that one knows what standards of efficiency to expect from them.

13.9. While we are thus in agreement with the general principal of the Sadiq Ali Committee, we do not quite agree that the District Tribunal as suggested by it, will be an efficient instrument for the purpose. The President of the Zila Parishad should be content with the work of his Parishad and should not be allowed to get an indirect control or influence over the Samitis and the panchayats.

13.10. We are convinced that it is essential that to ensure steady guidance, supervision and control of the Panchayati Raj institutions, there should be a high level officer in each district who should have a reasonably independence status and a long tenure. He should be appointed in a district for a fixed term of six years. Except in relation to conduct of elections, this officer, who may be called the District Panchayat Commissioner may be entrusted with all items of work which have not been entrusted to various State authorities. An illustrative list of the functions which may be entrusted to the District Panchayat Commissioner is

attached at the end of this Section. One of his main functions should be to prepare an annual consolidated report of the working of Panchayati Raj institutions in the district. To assist the Commissioner in his various functions, the existing Panchayat Extension Officers may be redesignated as Panchayat supervisors and placed under him.

13.11. We are of the view that adjudication of election disputes should also be entrusted to the Commissioner. We feel that the method of deciding election disputes of Panchayati Raj institutions by the normal courts is wasteful and time consuming. We have already suggested a simplification of rules relating to qualifications, disqualifications, nominations, corrupt practices etc. The decision on an election dispute should be a comparatively simple matter and the procedure should be in the form of a summary trial. It should be obligatory on the District Panchayat Commissioner to decide every election dispute within a period of thirty days. Even where no election petition has been filed, the Commissioner should have power to conduct enquiries *suo moto* if he has reason to believe that one or more candidates have indulged in corrupt practices. If as a result of his enquiries he finds that a candidate is guilty of corrupt practices he may make a report to the Board on whose recommendation the Government should have power to impose the usual disqualifications and in case of a candidate who has been elected, also declare his election void.

13.12. We have met many District Collectors who have shown great enthusiasm and interest in the development of Panchayat Raj institutions. We have also been informed that in many States, the District Collectors consider this as their main work, while they perform their other functions relating to revenue, law and order, etc., mainly through their subordinate officers. Opinion has also been expressed that if the supervision and guidance of the Panchayati Raj institutions is taken away from the District Collector, there may not be sufficient worker for him. It was also pointed out to us that the guidance and supervision of the Collector will be particularly useful to Panchayati Raj institutions, as he has the general supervision of the other agencies, especially, police and the revenue departments, the cooperation of which is necessary for the proper working of the Panchayati Raj institutions.

13.13. There is considerable force in these arguments. If the District Collector could be kept at his post normally for a fairly long period, say not less than four years and he should be entrusted with the supervision and control of the Panchayati Raj institutions in a semi-judicial capacity and functions through a separate category of officials, like the District Panchayat Officers and the Panchayat Extension Officers, it may prove to be a satisfactory solution. In that case, he may be designated as 'DISTRICT COLLECTOR AND PANCHAYAT COMMISSIONER'. The two functions will be distinct and will be executed through separate agencies, though the final responsibility for both will be vested in one person.

13.14. At the State level, it would be advisable to have a State Panchayati Raj Board on the lines of the Board of Revenue. All recommendations of the District Panchayat Commissioner to the State Government should be routed through the Board which may be given powers of review also. Appeals against the orders of District Panchayat Commissioner should lie to the State Board whose decisions should be final. The State

Board should scrutinise the annual reports received from the District Panchayat Commissioner and send a consolidated report on the working of Panchayati Raj in the State to the State Government. It should be made obligatory for the State Government to place the Report before the State Legislature for information and if desired discussion.

Summary of recommendations

13.15. We, therefore, recommend—

(i) At the District level a District Panchayat Commissioner be appointed for six years in whom all the Powers of guidance, inspection, supervision and control over the Panchayati Raj institutions will be concentrated. He will do this work in a semi-judicial capacity and will be assisted by the District Panchayat Officers and Panchayat supervisors who will be placed under him.

(ii) In the alternative, the District Collector may be entrusted with this work, provided he is kept at this post for not less than 4 years, does this work in a semi-judicial capacity and is designated as District Panchayat Commissioner functioning through District Panchayat Officers and Panchayat supervisors.

(iii) At the State level, a Panchayati Raj Board on the lines of the Board of Revenue may be set up. The Board would prepare an annual Report on the working of Panchayati Raj in the State and submit it to the State Government. The State Government shall place the Report before the State Legislature.

FUNCTIONS WHICH CAN BE ENTRUSTED TO THE DISTRICT PANCHAYATI RAJ COMMISSIONER

1. Periodical and random inspection of Panchayati Raj institutions and their working.

2. To keep a watch on the plans formulated by these bodies with a view to see that national priorities are being adhered to and the general pattern of work is in accordance with the board policies laid down at the State or national level.

3. To keep a watch on the loans, grants and subsidies given by the Government to Panchayati Raj institutions and ensure their proper utilisation and repayment.

4. Exercising general supervision over the maintenance of property entrusted to Panchayati Raj institutions and reporting to Government cases of neglect or misuse.

5. To approve the bye-laws and regulations framed by Panchayati Raj bodies.

6. To advise the State Government on the question of altering the jurisdiction of Panchayats and on inclusion, exclusion and transfer of areas from one to the other.

7. Examination of the audit reports of Panchayati Raj institutions and enquiries on the major objections with a view to fix responsibilities and order recovery if necessary.

8. To ensure performance of obligatory functions by Panchayati Raj bodies and in case of default appoint some other person to do it, the expenditure being charged to the account of the defaulting body.

9. Enquiring into complaints regarding the conduct of any individual member or office bearer of the Panchayati Raj institutions and recommending appropriate action to the State Board.

10. Enquiring into complaints of inefficiency, irregularity or illegality of any Panchayati Raj institution and to recommend to the State Government through the Board the dissolution or supersession of the whole body if necessary.

11. Hearing appeals against the assessment and levy of taxes by Panchayati Raj institutions.

12. Decision as to which of the arrears of the taxes are irrecoverable and should be written off.

13. Recruitment of and disciplinary proceedings against class III staff of Panchayati Raj bodies.

14. To act as an election tribunal to settle all disputes relating to the election of members and office bearers of Panchayati Raj institutions.

15. To examine the question of any member having incurred any disqualification for membership or for holding office.

16. Conducting meetings for discussion of no-confidence motions.

17. Arbitration in property and land disputes between individuals and Panchayati Raj bodies or between different Panchayati Raj bodies. This arbitration is intended to expedite decision of such disputes as the parties agree to refer for arbitration. (The power of determination of property rights will continue to be with regular courts).

18. Receiving periodical administrative reports from Panchayati Raj institutions and examining them and sending a consolidated report on the working of Panchayati Raj institutions in the district.

XIV. MISCELLANEOUS

Fixity of areas of Panchayati Raj bodies

14.1. Panchayati Raj will be a reality only when it develops good and lasting traditions. For this, time and continuity are essential. If the areas, structure, functions, powers and finances are subject to frequent and large variations, they are not likely to take roots and grow into institutions which will gather the affections and loyalties of the rural people. The first requisite, therefore, is that the area of a village panchayat, a Panchayat Samiti or a Zila Parishad should be fixed except where it has to be changed for unavoidable reasons. The fixity of areas of village panchayats will also facilitate the Assembly electoral rolls to be prepared panchayat-wise.

14.2. The powers of demarcating the areas of panchayats, Panchayat Samitis and Zila Parishads are vested by the respective Acts in the State Governments. Such vesting is necessary so that changes could be made easily where any genuine difficulty arises or unforeseen development takes place. At the same time it is not possible to ignore the fact that this power gives scope for manipulation of areas and jurisdictions on political or other undesirable grounds. Some safeguards are, therefore, necessary. We would suggest that changes should be made only on the initiative of the District Panchayat Commissioner supported by the State Panchayati Raj Board. If our recommendation for an independent District Panchayat Commissioner is not accepted, the State Panchayat Parishad which, we hope, will be a non-party, non-official organisation, solely interested in the development of Panchayati Raj, should be consulted. In many of the Acts, there is also a salutary provision that the Panchayati Raj institutions affected should also be asked to express their views on any proposed change. We would like that similar provision should be made in all the States and we would urge that those views should be taken into consideration before any changes are made.

Fixity of terms of Office

14.3. We consider that the fixity of the terms of the Panchayati Raj institutions is no less important. Many of the Panchayat Acts give powers to the State Government to postpone elections to Panchayai Raj bodies and this power has been frequently exercised. In some cases at least, political considerations have played a part in such postponement. We would, therefore, suggest that a rigid adherence to the normal terms of office should become a binding convention. It will greatly strengthen the Panchayati Raj institutions if the years and dates of their elections become as regular and certain as those of the American elections. Postponement of elections should be resorted to only in circumstances in which, owing to the breakdown of law and order or unexpected natural calamities, it is physically not possible to hold them.

Office bearers to continue till successors elected

14.4. Ordinarily, the elections for the Panchayat Sarpanch, the Samiti Chairman and the Parishad President would be held well before the expiry of the terms of the current office bearers. If, for certain unavoidable reasons, these elections are delayed, we would recommend that the existing

office bearers should continue in office till their successors are duly elected, although their normal term of five years might have been completed.

Quorum

14.5. We consider that the quorum for meetings of the Panchayati Raj institutions is more than a technical matter. We do not see why in a village every member of a panchayat should not attend the meeting except when he or she is physically unable to do so. A fairly high quorum is essential and serious notice should be taken of panchayats, many meetings of which had had to be adjourned for want of a quorum. We would, therefore, suggest a quorum of 50 per cent for the village panchayat. This would provide a minimum of five members for a meeting. For a Panchayat Samiti, we would insist on 40 per cent with a minimum of 10 members while for a Zila Parishad a quorum of one-third with a minimum of 10 members may be prescribed.

Continuous absence of members

14.6. It has been provided in most of the Panchayat Acts that a member will forfeit his seat if he absents himself continuously from a certain number of meetings. We think that this is a necessary provision and we would recommend that a member of the village Panchayat should be liable to forfeit his membership if he absents himself from three consecutive meetings. We would also like that at the end of each year, members who have not been present at not less than one-third of the meetings should be called upon to offer their explanations. It should be open to the village panchayat to recommend to the prescribed authorities that the membership of such persons whose explanations are considered unsatisfactory should be terminated. We do not want to give this power of terminating membership to the panchayat itself as it may be misused on account of the spirit of faction or personal antoganism.

14.7. In the case of Panchayat Samitis and Zila Parishads, we do not expect that *ex-officio* members will be absent; but, it should be obligatory for the Executive Officers of the Samiti and the Parishad to write to the Panchayats and Samitis concerned if any *ex-officio* member should absent himself continually for three meetings. The rules should provide that such communications should be placed before the meetings of the Panchayat and the Samiti so that the sarpanch or the Chairman would have to justify his absence. In the case of members who are not *ex-officio*, the ordinary rules providing for loss of membership in case satisfactory explanation is not forthcoming may hold good.

No-confidence motions

14.8. In all the Panchayati Raj Acts, there are provisions relating to 'No-Confidence' motion against the sarpanch and the Up-sarpanch of the panchayat, the Chairman and the Vice-Chairman of the Panchayat Samiti and the President and the Vice-President of the Zila Parishad. There are suitable rules in each State regulating the tabling of such motions and the conduct of meetings at which they are discussed. We do not want to go into these details. We would, however, suggest that the present rules should be modified to provide for two general principles. No no-confidence motion should be permitted during the first year of assumption of office. There should be a minimum interval of one year between any two no-confidence motions. We consider these intervals essential to prevent

instability and the spread of factious spirit in panchayats containing cantankerous members.

14.9. Generally, a two-third majority is required for the passing of a non-confidence motion. This should become the rule and we do not think that any distinction should be made between the Chief and the Deputy, as the passing of a no-confidence motion is likely to affect the social prestige and the local standing of the person concerned.

Continuous terms of office in Panchayati Raj bodies

14.10. In many places, certain individuals, by virtue of their status, wealth, influence or other considerations, have been monopolising the offices of sarpanch and Chairman of the Samiti. We consider that it is harmful and no one should be permitted to occupy continuously for more than two terms, the office of a Sarpanch or a Chairman of a Panchayat Samiti or President of a Zila Parishad. As we have recommended that the Chairman of a Panchayat Samiti need not be a Sarpanch or a President of a Zila Parishad, the Chairman of a Samiti, it is possible for really spirited public workers to have two continuous terms in each of these offices.

14.11. We believe that if continuity is broken, a person who has once been Sarpanch, Chairman or President for two terms, is not likely to be re-elected after the break. If such re-elections are rare, they can only be ascribed to the merits of particular individuals; but, if they should become very frequent, the possibility of putting an absolute limit of two terms may have to be considered. For the present, we are content with suggesting the prohibition of a third continuous term.

14.12. We do not attach much importance to the argument that such restrictions are not placed on those who hold the highest offices in the States or the Union. For one thing, the Panchayati Raj institutions are not constitutions are not constituted on the principle of responsible Government. Nor are these heads comparable to the President or the Governors. We believe that, in practice, no one is likely to be a President of India for more than two terms and Governors are nominated by the President.

Summary of recommendations

14.13. We, therefore, recommend—

(i) The area of a village panchayat, a Panchayat Samiti or a Zila Parishad should be fixed except where it has to be changed for unavoidable reasons. Where a change becomes necessary, the initiative should come from the District Panchayat Commissioner and this should be supported by the State Panchayati Raj Board. Alternatively the State Panchayat Parishad should be consulted in the matter. There should also be provision for consultation with the Panchayati Raj institutions affected and their views should be taken into consideration before any change is made.

(ii) A rigid adherence to the normal terms of Panchayati Raj institutions should become a binding convention. This should be departed from only when the law and order situation or the occurrence of natural calamities makes it physically impossible to hold elections.

(iii) The existing Sarpanch, Chairman or President should continue in office till their successors are duly elected; even though their five-year term might have expired.

(iv) A quorum of 50 per cent for the village panchayats, 40 per cent with a minimum of 10 members for the Panchayat Samiti and one-third with a minimum of ten members for a Zila Parishad may be prescribed.

(v) A panchayat member should be liable to forfeit his membership if he absents himself continuously for 3 meetings. There should be a review at the end of each year and members who have not been present at not less than one-third of the meetings should be called upon to offer their explanations. If their explanations are not considered satisfactory, the prescribed authority may terminate their membership.

(vi) In the case of *ex-officio* members of the Panchayat Samiti and the Zila Parishad, the Executive Officers of the respective bodies should write to the Panchayat or Samiti concerned about the continuous absence of the *ex-officio* member and such communications should be placed before the meeting of the Panchayat and the Samiti so that the Sarpanch or the Chairman has to justify his absence. In the case of other members, the ordinary rules providing for loss of membership may hold good.

(vii) A two-thirds majority should be required to pass a non-confidence motion. No such motion should be permitted in the first year of assumption of office and there should be a minimum interval of one year between any two no-confidence motions.

(viii) No one should be permitted to hold the offices of Sarpanch, Samiti Chairman or Parishad President for more than two consecutive terms.

XV. CONCLUSION

We express our gratitude once again to the State Governments for the courtesy and cooperation extended to us. In a Committee, like ours, consisting of persons who have other important and regular obligations and have had to find time for the work of the Committee by difficult readjustments of those obligations, the planning of tours to the States and meetings of the Committee has been rather difficult. As has already been pointed out, the work of the Committee was delayed at the very start and, therefore, an extension had to be asked for. We are grateful to the Minister, Shri S. K. Dey, for the promptness with which he acceded to our request and his general interest in the progress of the work of this Committee. This is no less true of Shri B. S. Murthy, the Deputy Minister, to whom also we are deeply grateful. We are also happy to record that the Secretary and other officers of the Union Ministry of Community Development and Cooperation were always ready to extend their cooperation and assistance. We earnestly hope that this Report may help the State Governments to rationalise their Panchayati Raj institutions and that a basic uniformity in the structure of these institutions throughout India may be established by common consent.

K. SANTHANAM	*Chairman*
T. H. SONAVANE	*Member*
RAJESHWAR PATEL	*Member*
V. B. RAJU	*Member*
MISS MAYA BANERJEE	*Member*
DR. J. N. KHOSLA	*Member*

SHIROMANI SHARMA,
Secretary,

New Delhi,
27th March, 1965.

SUMMARY OF RECOMMENDATIONS AND SUGGESTIONS

S.No.	Paragraph No. in the text.	Summary
(1)	(2)	(3)
		IV. THE VILLAGE PANCHAYATS
1.	4.3. & 4.4.	A panchayat should consist of not less than 9 and not more than 19 members. The actual number of members should be fixed on the following scale. (*a*) Panchayats with population less than 2000. — 9 members. (*b*) Panchayats with population 2000—7000. — 1 additional member for every increase of 1000 or part thereof. (*c*) Panchayats with population 7000—17000. — 1 additional member for every increase of 2000 or part thereof. (*d*) Panchayats with population above 17000. — 19 members.
2.	4.5.	All the members of the panchayats, including representatives of women, scheduled castes/tribes should be elected and there should be no coopted, nominated or *ex-officio* members.
3.	4.7. & 4.10.	The panchayat election should be held by secret ballot and in single member wards into which each panchayat would be divided.
4.	4.11.	Any person who is a voter of the village and whose name appears in the electoral roll of the panchayat should be entitled to contest as a candidate in any ward.
5.	4.14 & 4.17	It should be made compulsory for all voters to cast their ballot in panchayat elections. The voter who fails to do so should be fined Rupee one.
6.	4.21	In every panchayat, there should be two seats reserved for women. The reserved wards for women should be rotated at every election to the panchayat.
7.	4.23	There should be one seat reserved for Scheduled Castes where their population is less than 10 per cent and where their population is more than 10 per cent, two seats should be reserved for them. In all panchayats where the population of Scheduled Tribes is more than 5 per cent, there should be one reserved seat for them. The reserved wards for Scheduled Castes/Tribes may also be rotated but only among the wards where they have some people belonging to them.

(1)	(2)	(3)
8.	4.24.	Women, Scheduled Castes and Tribes should also be free to contest for unreserved seats.
9.	4.29.	The Sarpanch should be elected directly by the voters of the panchayat.
10.	4.31.	A person may be permitted to be a candidate for the office of the Sarpanch as well as for membership of the panchayat.
11.	4.31.	In case a person who is not a member, is elected as a Sarpanch he should be deemed to be an additional member of the Panchayat, the strength of the panchayat being thereby increased automatically by one.
12.	4.32.	If the Sarpanch dies, resigns or is removed, his successor will be elected indirectly for the remaining period of the term by the members of the panchayat from among themselves.
13.	4.33.	The Up-sarpanch should be elected indirectly by members of the panchayat from among themselves.
14.	4.35.	The term of office of the members of the panchayats, the Sarpanch and the Up-sarpanch should be five years.
15.	4.34. & 4.36.	All the panchayats in a State should have the same term, beginning and ending on the same dates. All mid-term elections should be for the remaining term only.
16.	4.37.	There is no need of Standing Committees for the village panchayats but *ad-hoc* Committees may be set up for supervising particular works.
		V. PANCHAYAT SAMITI
17.	5.4.	A Panchayat Samiti should have between 20—40 members.
18.	5.4 & 5.7.	Where a Panchayat Samiti consists of not less than 20 and not more than 40 village panchayats, the Sarpanch of every panchayat should be an *ex-officio* member of the Samiti.
19.	5.4. 5.5. & 5.7.	Where the number of panchayats in a Samiti is more than 40 :— (*a*) panchayats with population of about, say 3000 or more should have their Sarpanch as *ex-officio* member of the Samiti. (*b*) panchayats of population less than 3000 should be suitably grouped, each group consisting of two or three panchayats and there should be one

(1)	(2)	(3)
		representative for each group. Each Sarpanch of the group will be a member of the Samiti for half the period if it is a group of two and for two years in turn if it is a group of three.
20.	5.6. & 5.8.	If the number of panchayats in the Samiti is less than 20, panchayats with a population of 3000 in Orissa and 7000 in Kerala should each have one representative. Panchayats with population 3000—5000 in Orissa and 7000—10,000 in Kerala will have two representatives. Panchayats with higher population will have three representatives. The Sarpanch will be an *ex-officio* representative in all cases and the other representatives will be elected by members of the panchayats. Where there are two additional representatives the election will be by single transferable vote.
21.	5.10.	Four women members should be coopted by every Samiti out of the elected women members of the panchayats comprised in the Samiti.
22.	5.11.	If the population of Scheduled Castes in a Samiti area is less than 10 per cent, the Samiti shall coopt two members of the Scheduled Castes out of the elected Scheduled Castes members of its constituent panchayats. If the population is more than ten per cent, four such representatives will be coopted.
23.	5.11.	If the population of Scheduled Tribes in a Panchayat Samiti area is more than 5 per cent, two representatives of the Scheduled Tribes will be coopted.
24.	5.12.	The cooption of the representatives mentioned at Sl. Nos. 21, 22 and 23 above will be by single transferable vote subject to the further condition that no two representatives of women, Scheduled Castes or Tribes should be from the same village panchayat. These coopted representatives will be in addition to those coming in as Sarpanches or elected additional members.
25.	5.16.	The Chairman of the Samiti shall be elected by an electoral college consisting of the members of all the village panchayat comprised in the Samiti area. This election should be conducted not later than fourteen days after the panchayat elections.
26.	5.18.	A candidate for the Chairmanship need not be a Sarpanch or a panchayat member but should be a voter in a village of the Panchayat Samiti.
27.	5.19.	If a Sarpanch is elected as Samiti Chairman his position as Sarpanch will be in abeyance and the Up-sarpanch will act as Sarpanch. If, for any reason, he relinqishes his office as Chairman, he should be entitled to resume his office as Sarpanch.

(1)	(2)	(3)
28.	5.20.	In case of a vacancy in the office of the Samiti Chairman by reason of resignation, death or any other cause, the successor will be elected for the remaining period by the members of the Panchayat Samiti.
29.	5.21.	The Vice-Chairman of the Samiti will be elected by its members from among themselves.
30.	5.22.	The term of office of the Samiti, the Chairman and the Vice-Chairman shall be five years.
31.	5.23	Every member of the Samiti should be on some Standing Committee or the other and no person should be on more than two Committees.
32.	5.24.	The Chairman or the Vice-Chairman of the Samiti should not preside over more than one Committee. The Chairman of these Committees need not be elected but should be nominated by the Samiti Chairman.
33.	5.24.	For coordinating the work of the various committees there should be an executive committee consisting of the Chairmen of all Standing Committees.
34.	5.25.	In Maharashtra, the election of some common members to the Samiti and the Parishad may continue, but instead of electing two sarpanches from each electoral division, the grouping of villages and the method of representation recommended at S. No. 19 above may be followed and the strength of the Samiti increased as suggested in S. No. 17 above.
		VI. ZILA PARISHADS
35.	6.6.	The Zila Parishad should have 40—60 members.
36.	6.6. & 6.7.	The Chairman of the Panchayat Samitis comprised in the Parishad should be *ex-officio* members of the Zila Parishad. In addition, each Panchayat Samiti should elect another member for the Parishad. In districts having less than fifteen Samitis, a second additional member may also be elected by every Samiti and in those districts, the two additional members may be elected by single transferable vote.
37.	6.8.	There should be 8 women members in the Parishad coopted by its members, out of the women members of the constituent Samitis.
38.	6.9.	If the Scheduled Caste population in a district is less than ten per cent, there should be four representatives of Scheduled Castes coopted from such representatives in the Panchayat Samitis. If their population should exceed ten per cent, there should be 8 representatives.

(1)	(2)	(3)
		For Scheduled Tribes, four representatives should be coopted in like manner if their population is not less than five per cent of the total population.
39.	6.10.	The cooption of the representatives listed in S. Nos. 37 and 38 above, will be by single transferable vote, subject to the further condition that no two representatives of women, Scheduled Castes or Tribes shall be from the same Samiti. These coopted representatives will be in addition to those coming in as Samiti Chairman or additional elected members.
40.	6.11	The President of the Zila Parishad should be elected by an electoral college consisting of members of the panchayats comprised within the jurisdiction of the Parishad and this election should be held simultaneously with that of the Chairman of the Panchayat Samiti.
41.	6.12.	A candidate for the Presidentship of the Parishad need not be a member of a Panchayat or a Panchayat Samiti and it would be sufficient if he is a primary voter in any panchayat of the district.
42.	6.13.	A candidate who is standing for the Chairmanship of a Panchayat Samiti should not, in the same election, stand also for the Presidentship of the Zila Parishad.
43.	6.14	If there is an interim vacancy in the office of the Presidentship of a Parishad, his successor should be elected for the remaining period by the members of the Parishad.
44.	6.15.	The Vice-President of the Zila Parishad should be elected by the members of the Parishad.
45.	6.16.	The term of office of the Zila Parishad, the President and the Vice-President should be five years.
46.	6.17.	Every member of the Parishad should be a member of at least one Standing Committee but no one should be a member in more than two committees.
47.	6.18.	The President or the Vice-President of the Parishad should not preside over more than one Committee. The Chairmen of these Committees need not be elected but may be nominated by the Parishad President.
48.	6.16.	For coordinating the work of the various committees, there should be an Executive Committee consisting of the Chairmen of all the Standing Committees.
49.	6.19.	Where the Zila Parishad is purely an advisory and co-ordinating body without any executive functions or finances of its own, its composition may be as recommended for other States; but its President need not be elected by a wide

(1)	(2)	(3)
		electoral college. It would be sufficient if he is indirectly elected by the members of the Parishad.
50.	6.19.	The District Collector should not be the *ex-officio* President of the Zila Parishad or its Standing Committees.
51.	6.21.	In Maharashtra, direct election to membership of the Zila Parishad is not necessary. The electoral college consisting of members of village panchayats in the Parishad may elect, besides the Chairman of the Samiti, two or three members to the Parishad. The Parishad President may also be elected by the same electoral college at the same time.
	VII.	**ASSOCIATION OF MEMBERS OF PARLIAMENT AND STATE LEGISLATURES WITH PANCHAYATI RAJ INSTITUTIONS.**
52.	7.3.	Members of Parliament and State Legislatures should be prohibited from becoming elected members or heads of the Village Panchayats, Panchayat Samitis or Zila Parishads.
53.	7.11.	Members of the Rajya Sabha and the State Legislative Councils who are indirectly elected and who are not direct representatives of voters in any Samiti or Parishad, should not be given any *ex-officio* status in either.
54.	7.11.	A member of the State Legislative Assembly should be an *Ex-officio* associate member without the right to vote or to hold office of all the Panchayat Samitis which are wholly in his constituency.
55.	7.11.	A Member of Parliament should be an associate member in only one Samiti where he normally resides.
56.	7.11.	In the Zila Parishad, all members of Parliament and the State Legislative Assembly, elected by constituencies within the district (except those elected from City constituencies) should be associate members without right to vote or to hold office. If the Zila Parishad is purely an advisory body without any functions or finances of its own, the right to vote has not much political significance and may be given to them.
	VIII.	**REPRESENTATION FOR SPECIAL GROUPS**
57.	8.3. 8.4. & 8.5.	No representation to any sections other than women and Scheduled Castes/Tribes need be provided in Panchayati Raj institutions.
51.	8.8.	There is no need to provide institutional representation to cooperative organisations in Panchayati Raj Bodies. If at all their representation is considered desirable, they should

(1)	(2)	(3)
		be only associate members without any right to vote or hold office.
59.	8.10.	There should be no nomination or cooption of outsiders on the score of eminence or experience.
60.	8.11.	Functional Committees may be permitted to coopt outsiders with special experience; but they will be only associate members without any right to vote or hold office.
61.	8.13.	No official should be a member—full or associate.
62.	8.13.	Officials of the appropriate category should attend as advisers whenever requested to do so.
63.	9.13.	The Chief Executive Officers should function only as official Secretaries and not as members.
		IX. QUALIFICATIONS & DISQUALIFICATIONS
64.	9.4.	The disqualifications for voters at present embodied in some Panchayat Acts should be removed and instead it should be provided that every voter whose name is included in the rolls of the State Assembly relating to a panchayat should be deemed to be a qualified voter without any further question.
65.	9.7.	Disqualifications for membership in a village panchayat at present embodied in he Panchayat Acts of the various States other than those mentioned below in S. No. 66 are either superfluous or purposeless and may, therefore, be removed.
66.	9.7.	A person should be disqualified for membership only if he— (*a*) is not registered on the Assembly electoral rolls. (relating to the Panchayat). (*b*) is an undischarged insolvent. (*c*) is interested in a subsisting contract, etc. with the panchayat. (*d*) is in the service of the Government or other local bodies including the Panchayat, Samiti or the Parishad. (*e*) has been dismissed by any such body for wrongful conduct. (*f*) has been convicted for an offence and sentenced to a term of imprisonment for not less than two years. (*g*) has been bound down for good behaviour under section 110 of the Cr. P.C.

(1)	(2)	(3)
		The disqualifications listed from (*e*) to (*g*) should operate only for a period of three years after the dismissal, expiry of the sentence or the expiry of the period for which he is bound down.
67.	9.7.	The failure to pay panchayat dues should not be a disqualification for standing for election to the panchayat.
68.	9.10.	No educational qualification need be prescribed for membership of the village panchayat. However, the candidate should not be allowed to affix his thumb impression in the nomination paper but should sign his name.
69.	9.12.	Ability to read and write the local language should be laid down as the minimum qualification for becoming a Sarpanch. No special age qualifications are necessary.
70.	9.13.	Ability to read and write the local language should be the minimum qualification for membership or office in the Panchayat Samiti and the Zila Parishad.
		X. CONDUCT OF ELECTIONS
71.	10.2.	Elections to Panchayati Raj institutions should not be held simultaneously with the elections to Parliament and the State Assembly.
72.	10.3.	The Chief Electoral Officer of the State, who is responsible for the conduct of elections to Parliament and the State Assembly must be statutory Election Authority, supervising the elections to Panchayati Raj institutions also.
73.	10.4.	The Electoral rolls maintained for elections to the State Assembly and Parliament should be used in panchayat elections also. For purposes of facility, these rolls should be maintained panchayat-wise. Each panchayat may be given a serial number and a separate part of the roll prepared for it.
74.	10.6.	The electoral rolls as they exist at the time of issuing the notification announcing the Panchayat elections should be deemed to be final. No additions or alterations should be permitted after such notification.
75.	10.7.	There is no need for a proposer or seconder for nomination of candidates in panchayat elections. A simple nomination paper requiring the candidate to express his intention of contesting the elections should be enough.
76.	0.8.	No security deposit should be prescribed at the time of filing nominations; but in order to discourage frivolous nominations, a non-refundable nomination fee at the follow-

(1)	(2)	(3)
		ing rates may be prescribed :— (*a*) Rs. 5/- for membership of village panchayats. (*b*) Rs. 10/- for Sarpanch. (*c*) Rs. 20/- for Samiti Chairman. (*d*) Rs. 50/- for Parishad President.
77.	10.9.	An appeal against scrutiny of nomination should be provided only where the nomination paper is rejected.
78.	10.10.	For Panchayat elections, standard ballot papers consisting only of symbols should be printed in advance and kept in stock. The symbols should be different from the party symbols allotted in the elections to Parliament and State Assemblies and should be such that they do not suggest any association with religious or communal sentiments.
79.	10.12.	The candidates should not be given choice for symbols. They should either be allotted by lot or in alphabetical order. For the convenience of the voters, notice Boards indicating the names and symbols of candidates should be prominently displaced of the polling booths.
80.	10.14.	As the Sarpanch has to be directly elected simultaneously with the members, there should be two ballot boxes in every polling booth and every voter would have to be supplied with two ballot papers—one for the ward membership and the other for Sarpanch. It may be desirable to have the ballot papers for the members and the Sarpanch in different colours.
81.	10.15. 10.16. & 10.17.	Elections to offices of Chairman and President will be held simultaneously and two ballot boxes—one for the Chairman and another for the President—will have to be provided at each polling station set up for the purpose. There should be one polling station in each panchayat or in a group of 3-5 panchayats. Voting should be by marking system on ballot papers with symbols only. There symbols should be different from those used in panchayat elections.
82.	10.18.	Elections to Panchayati Raj Bodies should be completed within a period of two months after the notification. An illustrative time schedule is given at the end of the section X.
83.	10.19. & 10.20.	The list of corrupt practices given in the Representation of the People Act, 1951, with the omission of the one relating to election expenses, may be adopted for Panchayat elections also.
84.	10.20. & 10.21.	The following administrative steps may be desirable, specially during the elections to Samiti Chairman and

(1)	(2)	(3)
		Parishad President :— (*a*) Organising of camps for voters where food and drinks are served, should be banned. (*b*) Appropriate restrictions should be placed on the number of motor vehicles used and the manner of their use by candidates and by those who are working for them. (*c*) In non-prohibition areas, liquor shops should be closed for one week preceding the panchayat elections and for 3 days preceding the elections of the Samiti Chairman and the Parishad President.
85.	10.22. & 10.23.	With a view to prevent undue interference by courts in the conduct of panchayat elections, Article 329 of the Constitution should be made applicable to matters relating to such elections also. Besides, provisions similar to Section 30 of the Representation of the People Act, 1950 and Section 170 of the Representation of the People Act, 1951, should also be made in respect of elections to Pachayati Raj institutions.
86.	10.24.	There is no need for a separate Election Commission for every State for panchayat elections. The overall supervision of the Chief Electoral Officer should be sufficient to ensure free and fair elections.
		XI. THE ROLE OF POLITICAL PARTIES
87.	11.7.	There should be no legal provision prohibiting political parties from influencing Panchayati Raj Elections.
88.	11.8. 11.9. & 11.10.	No political party symbols should be issued in any election to Panchayati Raj institutions.
89.	11.11.	No representations from Political parties should be entertained in relation to Panchayati Raj institutions.
90.	11.12.	Official recognition should not be accorded to political party groupings among members of Panchayati Raj bodies.
		XII. THE SCORE FOR UNANIMITY IN PANCHAYATI RAJ ELECTIONS
91.	12.6.	No cash prizes or material inducements or incentives should be offered for unanimity in panchayat elections.
92.	12.8.	Non-official organisations, like the State Panchayat Parishads should be encouraged to do propaganda for unanimity and consensus and help to reduce bitterness and conflict based on caste, communal or religious prejudices.

(1)	(2)	(3)
		XIII. SUPERVISION AND CONTROL
93.	13.10.	At the District level a District Panchayat Commissioner be appointed for six years in whom all the powers of guidance, inspection, supervision and control over the Panchayati Raj institutions will be concentrated. (An illustrative list of functions is given at the end of the Section XIII.) He will do this work in a semi-judicial capacity and will be assisted by the District Panchayat Officers and Panchayat Supervisors who will be placed under him.
94.	13.13.	In the alternative, the District Collector may be entrusted with this work, provided he is kept at this post for not less than 4 years does this work in a semi-judicial capacity and is designated as District Panchayat Commisisoner functioning through District Panchayat Officers and Panchayat Supervisors.
95.	13.14.	At the State level, a Panchayati Raj Board on the lines of the Board of Revenue may be set up. The Board would prepare an annual report on the working Panchayati Raj institutions in the State and submit it to the State Government. The State Government should place the report before the State Legislature.
		XIV. MISCELLANEOUS
96.	14.2.	The area of a village panchayat, a panchayat samiti or a zila parishad should be fixed except where it has to be changed for unavoidable reasons. Where a change becomes necessary, the initiative should come from the District Panchayat Commissioner and this should be supported by the State Panchayati Raj Board. Alternatively, the State Panchayat Parishad should be consulted in the matter. There should also be provision for consultation with the Panchayati Raj institutions affected and their views should be taken into consideration before any change is made.
97.	14.3.	A rigid adherence to the normal terms of Panchayati Raj institutions should become a binding convention. This should be departed from only when the law and order situation or the occurrence of natural calamities makes it physically impossible to hold elections.
98.	14.4.	The existing Sarpanch, Chairman or President should continue in office till their successors are duly elected; even though their five year term might have expired.
99.	14.5.	A quorum of 50 per cent for the village panchayats, 40 per cent with a minimum of 10 members for the Panchayat Samiti and one-third with a minimum of 10 members for a Zila Parishad may be prescribed.

(1)	(2)	(3)
100.	14.6.	A Panchayat member should be liable to forfeit his membership if he absents himself continuously for 3 meetings. There should be a review at the end of each year and members who have not been present at not less than one-third of the meetings should be called upon to offer their explanations. If their explanations are not considered satisfactory, the prescribed authority may terminate their membership.
101.	14.7.	In the case of *Ex-officio* members of the Panchayat Samiti and the Zila Parishad, the Executive Officers of the respective bodies should write to the Panchayat or Samiti concerned about the continuous absence of the *Ex-officio* member and such communications should be placed before the meeting of the Panchayat and the Samiti so that the Sarpanch or the Chairman has to justify his absence. In the case of other members, the ordinary rules providing for loss of membership may hold good.
102.	14.8. & 14.9.	A two-thirds majority should be required to pass a no-confidence motion. No such motion should be permitted in the first year of assumption of office and there should be a minimum interval of one year between any two no-confidence motions.
103.	14.11.	No one should be permitted to hold the offices of Sarpanch, Samiti Chairman or Parishad President for more than two consecutive terms.

TABLE

The proposed composition of Panchayati Raj bodies

(1)	(2)	(3)	(4)
	VILLAGE PANCHAYATS	PANCHAYAT SAMITIS	ZILA PARISHADS
1. Strength	9—19 members.	20—24 members.	40—60 members.
2. *Ex-officio* members.	NIL	(*i*) Sarpanches of all Panchayats if Samiti consists of less than 40 Panchayats. (*ii*) Where Samiti has more than 40 Panchayats, Sarpanches of bigger Panchayats to be *ex-officio* members while smaller Panchayats to be suitably grouped into groups of two or three and each Sarpanch of a group to be a member by rotation.	Chairmen of constituent Panchayat Samitis.
3. Elected members and mode of their election.	All members to be elected by secret ballot from single member wards. Members to include, at least :— (*i*) Two women. (*ii*) One Scheduled Caste if their population is less than 10% two if population is more than 10%. (*iii*) One scheduled Tribe if their population is more than 5%. These are to be elected from reserved seats and reservations to rotate in successive elections.	(*i*) No elected member if Samiti has more than 20 Panchayats. (*ii*) If Samiti has less than 20 Panchayats, each Panchayat to elect one or two representatives in order to make up the required strength (20-40). If two representatives to be elected, election to be by single transferrable vote.	(*i*) 1 member per Samiti elected by the members of each Samiti. (*ii*) In districts with less than 15 Samitis another member to be elected by the Samiti and the two members to be elected by the single transferrable vote.
4. Coopted members.	NIL	(*i*) 4 women. (*ii*) 2 Scheduled Castes if their population is less than 10%, 4 if population is more than 10%. (*iii*) 2 Scheduled Tribes if their population is more than 5%. All these coopted by single transferrable vote from women/S.C./S.T. members	(*i*) 8 women. (*ii*) 4 Scheduled Castes if their population is less than 10%. (*iii*) 4 Scheduled Tribes if their population is more than 5%. Cooption to be by single transferrable vote from out of the women/S.C./S.T.

(1)	(2)	(3)	(4)
		of constituent Panchayats. No two representatives of women or S.C./S.Ts. should be from same Panchayat.	members of Samitis. No two representatives of women or S.C./S.Ts. should be from the same Samiti.
5. Nominated members.	NIL.	NIL	NIL
6. Associate members (without right to vote or hold office).	NIL.	(*i*) Member of Lok Sabha ordinarily resident in the Samiti area. (*ii*) Members of State Legislative Assembly in whose constituencies the Samiti falls.	Members of Lok Sabha and State Legislative Assembly elected from the district except those elected from city constituencies.
7. Mode of Election of the Head.	Directly elected by all the voters in the Panchayat.	Elected by an electoral college of members of all Panchayats comprised within Samiti.	Elected by an electoral college of members of all panchayats comprised in the Parishad.
8. Term of Office.	5 years.	5 years.	5 years.
9. Quorum.	50%.	40% with minimum of 10	33-1/3 with a minimum of 10.

APPENDICES

LIST OF APPENDICES

		Pages
I.	Letter addressed to the State Governments with copy of the Questionnaire ..	83—87
II.	List of Panchayati Raj Institutions representatives of which met the Committee ..	88—90
III.	Nomenclature of Panchayati Raj Institutions and their Executive Heads ..	91
IV.	Composition and mode of elections of the Village Panchayats ..	92—94
V.	Composition etc. of the Panchayat Samitis ..	95—101
VI.	Composition etc. of the Zila Parishads ..	102—107
VII.	Representation of women, Scheduled Castes/Tribes in Village Panchayats ..	108—109
VIII.	Representation of women, Scheduled Castes/Tribes in Panchayat Samitis ..	110—111
IX.	Representation of women, Scheduled Castes/Tribes in Zila Parishads ..	112—113
X.	Functional Committees of Village Panchayats ..	114—115
XI.	Standing Committees of Panchayat Samitis ..	116—118
XII.	Standing Committees of Zila Parishads ..	119—121
XIII.	Association of MPs., MLAs. and MLCs., with Panchayati Raj Bodies ..	122
XIV.	Representation to Cooperatives in Panchayati Raj bodies ..	123—125
XV.	Representation to Specialists in Panchayati Raj bodies ..	126
XVI.	Official members in Panchayati Raj Institutions ..	127
XVII.	Quorum required for meetings of Panchayati Raj bodies ..	128—129
XVIII.	Penalty for continuous absence from meetings of Panchayati bodies ..	130—131
XIX.	Specimens ballot papers used in Panchayat elections in Andhra Pradesh and Madras ..	132

APPENDIX I

D. O. No. PREC/1/64

GOVERNMENT OF INDIA

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION

(DEPARTMENT OF COMMUNITY DEVELOPMENT)

Krishi Bhavan, New Delhi,
March 31, 1964.

I. D. N. SAHI,
Joint Secretary

SUBJECT : *Committee on the methods of elections to Panchayati Raj bodies.*

DEAR Shri

As you are aware, a Committee under the chairmanship of Shri K. Santhanam has been appointed by this Ministry for making a comprehensive study of the methods of election to Panchayati Raj institutions. A copy of the Government resolution setting up the Committee which contains details about the personnel and terms of reference, is enclosed for ready reference.

2. The Committee, at its first meeting held on the 28th and 29th March, 1964, felt that as the statutory provisions relating to the working of Panchayti Raj institutions vary from State to State, it would be desirable to obtain information on various points relating to the terms of reference from the State Governments, Presidents of Zila Parishads and any other institutions connected with Panchayati Raj. The points on which the Committee requires information are outlined in the annexure.

I shall be grateful if you could kindly arrange for 10 copies of a comprehensive memorandum on the points mentioned in the annexure, to be sent direct to the Secretary of the Committee by the 30th April 1964 at the latest. The President of the Zila Parishads may also be advised accordingly.

3. During the course of its work, the Committee also intends to visit your State for about a week and have discussions with the Ministers, yourself, other senior officials and prominent non-officials interested in the subject. The Committee would also like to visit a Zila Parishad, two Panchayat Samitis of that District and four Panchayats in those Samitis and meet the members of these institutions. I shall be grateful if you could kindly arrange to select a suitable Zila Parishad, two Panchayat Samitis in that District and two Panchayats in each of the selected Samitis, and intimate the names of the institutions to the Secretary of the Committee. The exact date of the visits will be settled by the Committee in consultation with you.

4. The Committee will also require the following material for their use :—

(i) 10 copies of the latest acts relating to Panchayats, Panchayat Samitis and Zila Parishads, and rules, regulations and administrative orders relating to them, with particular reference to election, cooption and reservation to Panchayati Raj institutions.

(ii) A list of public bodies and institutions, including associations of Panchayati Raj bodies, on the district and state level which may be interested in the Committee's work and whose views would be useful to the Committee.

This material may be furnished urgently to the Secretary of the Committee at this Ministry's address.

With kind regards,

Yours sincerely,
I. D. N. SAHI

PANCHAYATI RAJ ELECTIONS COMMITTEE

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION

Points on which information is required from the States

I. Village Panchayats

(a) *Election*

(i) What is the number of members of the Village Panchayat, the maximum and the minimum ?

(ii) How many of them are elected, coopted, and nominated respectively ?

(iii) What is the method of election of the members ? Is it open voting or secret ballot ?

(iv) To what extent is it based on population ?

(v) What is the maximum and minimum of voters for a constituency ?

(vi) What is the average number of voters for a constituency ?

(vii) Is the election done by demarcating the Panchayat area into wards ?

(viii) Are the constituencies single, plural or mixed ?

(ix) What is the actual method of voting ?

(x) Are party-symbols given to the candidates ?

(xi) What is the term of membership ?

(b) *Reservation*

(i) Are there reservations for Harijans, backward classes, women, cooperative societies, or any other interests or institutions in the village Panchayat area ?

(ii) If so, what is the number ? How are the members elected or selected ?

(c) *Cooption*

(i) Is there a provision for cooption ?

(ii) What is the proportion of members coopted ?

(iii) What is the basis for cooption ?

(iv) What is the methdod of cooption ?

(d) *Nomination*

(i) Is there provision for nomination ?

(ii) Who is the nominating authority ?

(iii) Are there *ex-officio* members ?

(e) *Office-bearers*

(i) Who are the office-bearers of the village Panchayat ?

(ii) Are they elected, nominated or *ex-officio* ?

(iii) What is the method of election and in case of nomination who are the authorities empowered to nominate ?

(iv) In case of election, are the office-bearers elected direct by the electorate or by the members from amongst themselves ?

(v) What is the term of office-bearers ?

(vi) Is any remuneration or salary paid to office-bearers, if so how much ?

(vii) Are any travelling or other allowances paid to the members ?

(f) *Committees*

(i) How many committees are there in the Village Panchayat ?

(ii) How many of them are statutory ?

(iii) What is the composition of these committees ?

(iv) How are the Committees constituted ?
(v) What is the term of the Committees ?

(g) *General*

(i) Is the M.L.A. or M.P. resident in the village Panchayat an *ex-officio* member of the Panchayat ?
(ii) Has he or she any voting rights ?
(iii) What is the procedure for bye-election ?
(iv) What is the procedure for no-confidence motion ?
(v) Who maintains the electoral roll ?
(vi) Is it open to inspection ?
(vii) Are copies of electoral roll available to the candidates ?
(viii) How often is it brought up-to-date ?
(ix) What is the procedure for dealing with election disputes ?
(x) Is election obligatory, at the end of the normal term, or are their powers given to the Government for extending the term ?
(xi) If latter, how has it been exercised and how often ?

II. Panchayat Samitis

(a) *Composition*

(i) What is the composition of the Panchayat Samitis ?
(ii) Are the elections direct or indirect ?
(iii) In case of the latter, please give details.
(iv) Are there *ex-officio* members, if so give details ?
(v) Are the M.L.As. and M.Ps. resident in the Panchayat Samiti area, or representing it, *ex-officio* members of the Samiti ?
(vi) Have they voting rights ?
(vii) Can they stand for election ?
(viii) Can they hold elective offices ?
(ix) What is the term of membership ?

(b) *Reservation*

(i) Are there reservations for Harijans, backward classes, women, cooperative societies, or any other interests or institutions in the Panchayat Samiti area ?
(ii) If so, what is the number ? How are the members elected or selected ?

(c) *Cooption*

(i) Is there a provision for cooption ?
(ii) What is the proportion of members coopted ?
(iii) What is the basis for cooption ?
(iv) What is the method of cooption ?

(d) *Nomination*

(i) Is there provision for nomination ?
(ii) Who is the nominating authority ?
(iii) Are there *ex-officio* members ?

(e) *Office-bearers*

(i) What are the elective offices ?
(ii) How are the office bearers elected ?
(iii) Are the office-bearers entitled to any remuneration or allowance ? If so, how much ?
(iv) Are any travelling or any other allowances paid to the members ?

(f) *Committees*

(i) What are the committees of the Panchayat Samiti ?
(ii) How many of them are statutory and how many non-statutory ?
(iii) How are they constituted ?
(iv) What are their functions and powers ?

(g) *General*

(i) What is the procedure for no-confidence motions ?
(ii) What is the procedure for removal of office-bearers ?

III. Zila Parishads

(a) *Composition*

(i) What is the composition of the Zila Parishads ?
(ii) Are the elections direct or indirect ?
(iii) In case of the latter, please give details ?
(iv) Are there *ex-officio* members, if so give details ?
(v) Are the M.L.As. and M.Ps. resident in the Zila Parishad area, or representing it, *ex-officio* members of the Parishad ?
(vi) Have they voting rights ?
(vii) Can they stand for election ?
(viii) Can they hold elective offices ?
(ix) What is the term of membership ?

(b) *Reservation*

(i) Are there reservations for Harijans; backward classes, women, cooperative societies, or any other interests or institutions in the Zila Parishad area ?
(ii) If so, what is the number ? How are the members elected or selected ?

(c) *Cooption*

(i) Is there a provision for cooption ?
(ii) What is the proportion of members coopted ?
(iii) What is the basis for cooption ?
(iv) What is the method of cooption ?

(d) *Nomination*

(i) Is there provision for nomination ?
(ii) Who is the nominating authority ?
(iii) Are there *ex-officio* members ?

(e) *Office-bearers*

(i) What are the elective offices ?
(ii) How are the office-bearers elected ?
(iii) Are the office-bearers entitled to any remuneration or allowance ? If so, how much ?
(iv) Are any travelling or any other allowances paid to the members ?

(f) *Committees*

(i) What are the committees of the Zila Parishad ?
(ii) How many of them are statutory and how many non-statutory ?
(iii) How are they constituted ?
(iv) What are their functions and powers ?

(g) *General*

(i) What is the procedure for no-confidence motions ?
(ii) What is the procedure for removal of office-bearers ?

IV. Nyaya Panchayats

(i) Are there Nyaya Panchayats ?
(ii) How are the Nyaya Panchayats constituted ?
(iii) What is the term of membership ?
(iv) Is it elected, coopted or nominated ?

V. Miscellaneous

(i) Who are the authorities at various levels, for the conduct of elections to various Panchayati Raj bodies ?
(ii) What is the machinery and procedure for dealing with election disputes ?
(iii) What are the qualifications, disqualifications and corrupt practices in relation to these elections ?
(iv) Should there be any minimum educational and other qualifications for :
  (a) membership.
  (b) holding office.
(v) Are there any arrangements for educating the members of Panchayats and Office-bearers ?
(vi) Was there any official review of the last general elections to these bodies ? and if so, please send 10 copies.
(vii) What are your suggestions regarding changes and improvements necessary in the laws, rules and regulations for the procedures for elections to the Panchayati Raj bodies, committees and office-bearers so that
  (a) the elections may be conducted smoothly and efficiently; and
  (b) the expenditure to the Government and the candidates can be reduced to the minimum ?
(viii) Please describe the present role of the political parties in relation to the elections to the Panchayati Raj bodies.
(ix) Please state whether they should be permitted to play an active role ?
(x) If they are to be permitted, what are the conditions and limitations under which they should do so ?
(xi) If they are not to be permitted, what are the measures required to prevent their participation ?
(xii) What is your view regarding the adoption of principle of rotation for :
  (a) elections to Village Panchayats; and
  (b) elections if any, to Panchayat Samitis and Zila Parishads.
  (NOTE : The principle of rotation is designed to ensure continuity and will mean a certain percentage of members say, one-third or half, will be replaced periodically by freshly elected members. The system is in vogue in Legislative councils and Rajya Sabha).
(xiii) If you approve of the principle of rotation, would you like to suggest a system of
  (a) biennial election of 1/3 of the members, with a term of membership of 6 years;
  (b) bi-ennial or tri-ennial election of half the members with a term of membership of 4 or 6 years respectively ?
(xiv) In the case of rotation, should office-bearers retire automatically and be selected periodically ?
(xv) Should there be any limitation on the continuous period of membership to these bodies or of their office-bearers ?
(xvi) Do you think that the appointment of an independent Election Commission in each State to be in over-all charge of Election to Panchayati Raj institutions, committees, and office-bearers, is necessary or desirable ?
(xvii) What should be the staff needed for Election Commission for ensuring free and fair elections ?
(xviii) Have you any suggestions for reducing to a minimum, the conflict and bitterness to the elections, and if possible, securing unanimity ?

APPENDIX II

List of Institutions representatives of which met the Committee

State	Period of visit	Panchayati Raj Institutions visited
(1)	(2)	(3)
1. Madras	3rd August to 6th August, 1964.	(*i*) Village Panchayat, Vilacheri, (District Madurai)
		(*ii*) Village Panchayat, Talayathu, (District Madurai)
		(*iii*) Village Panchayat, Melakarai, (District Madurai)
		(*iv*) Town Panchayat, Tiruparankundram, (District Madurai)
		(*v*) Panchayat Union, Council, Palni, (District Madurai)
		(*vi*) Panchayat Union, Council, Tiruparankundras, (District Madurai)
		(*vii*) District Development Councils, (North & South Madurai)
		(*viii*) Madras State Union of Panchayats.
2. Rajasthan	27th & 28th August, 31st August and 1st Sept., 1964.	(*i*) Village Panchayat, Mandane. (District Kota)
		(*ii*) Village Panchayat, Suket, (District Kota)
		(*iii*) Village Panchayat, Khairabad, (District Kota)
		(*iv*) Village Panchayat, Kaithoon. (District Kota)
		(*v*) Panchayat Samiti, Ladpura. (District Kota)
		(*vi*) Zila Parishad, Jaipur.
		(*vii*) Sarva Seva Sangh, Rajasthan.
		(*viii*) State Swatantra Party, Rajasthan.
3. Gujarat	2nd to 5th September, 1964.	(*i*) Village Panchayat, Chharad, (District Surendranagar)
		(*ii*) Village Panchayat, Lakhtar, (District Surendranagar)
		(*iii*) Village Panchayat, Muli, (District Surendranagar)
		(*iv*) Village Panchayat, Sardhar, (District Rajkot)
		(*v*) Village Panchayat, Kalthad, (District Rajkot)
		(*vi*) Taluka Panchayat, Lakhbar, (District Surendranagar)
		(*vii*) Taluka Panchayat, Muli, (District Surendranagar)
		(*viii*) Taluka Panchayat, Gondal, (District Rajkot)
		(*ix*) District Panchayat, Rajkot.
		(*x*) Gujarat Panchayat Act, 1961—Amendment Committee.
		(*xi*) Gujarat Pradesh Congress Committee.

APPENDIX II—*Contd.*

(1)	(2)	(3)
4. Himachal Pradesh	4th to 6th October, 1964.	(*i*) Village Panchayat, Mashobra, (District Mahasu) (*ii*) Village Panchayat, Choog, (District Mahasu) (*iii*) Village Panchayat, Sandhu, (District Mahasu) (*iv*) State Level Committee on Panchayati Raj.
5. Assam	21st to 24th October, 1964.	(*i*) Gram Panchayat Salmara, (District Kamrup) (*ii*) Gram Panchayat, Barapara, (District Kamrup) (*iii*) Gram Panchayat, Bondapara, (District Kamrup) (*iv*) Anchal Panchayat, Bokobongaon, (District Kamrup) (*v*) Anchalik Panchayat Karara, (District Kamrup) (*vi*) Mohkuma Parishad, Gauhati, (District Kamrup)
6. West Bengal	25th to 27th October, 1964.	(*i*) Anchal Panchayat, Ramnagar, (District 24-Parganas) (*ii*) Anchal Panchayat, Dhaphapi, (District 24-Parganas) (*iii*) Anchal Panchayat, Hariharpur, (District 24-Parganas) (*iv*) Anchalik, Parishad, Baruipur, (District 24-Parganas) (*v*) Zila Parishad, Howrah.
7. Orissa	28th to 31st October, 1964.	(*i*) Gram Panchayat, Gop, (District Puri) (*ii*) Gram Panchayat, Khuntuni, (District Cuttack) (*iii*) Gram Panchayat, Shankarpur, (District Dhenkanal) (*iv*) Gram Panchayat, Manipur, (District Dhenkanal) (*v*) Panchayat Samiti, Dhenkanal Sadar, (District Dhenkanal) (*vi*) Panchayat Samiti, Gop, (District Puri) (*vii*) Zila Parishad, Puri.
8. Andhra Pradesh	11th to 14th November, 1964.	(*i*) Gram Panchayat Pedakaknai (District Guntur) (*ii*) Panchayat Samiti, Machalipatnam, (District Krishna) (*iii*) Panchayat Samiti, Mangalagiri, (District Guntur) (*iv*) Zila Parishad, Krishna. (*v*) Zila Parishad, Guntur. (*vi*) Zila Parishad, Hyderabad. (*vii*) Andhra Pradesh State Chamber of Panchayati Raj, Hyderabad.

APPENDIX II—*Contd.*

(1)	(2)	(3)
9. Punjab	27th to 28th November, 1964.	(*i*) Panchayat Samiti Manimajra, (District Ambala) (*ii*) Zila Parishad Ambala.
10. Uttar Pradesh	1st to 2nd December, 1964.	(*i*) Village Panchayat, Rasauli, (District Barabanki) (*ii*) Kshettra Samiti, Banki, (District Barabanki) (*iii*) Zila Parishad, Barabanki. (*iv*) Zila Parishad, Lucknow.
11. Kerala	12th to 15th January, 1965.	(*i*) Village Panchayat, Ulloor, (District Trivandrum) (*ii*) Village Panchayat Aroor, (District Alleppy) (*iii*) Block Development Committee, Haripada. (*iv*) Block Development Committee, Mulanthuruthy (District Ernakulam)
12. Maharashtra	16th to 18th January, 1965.	(*i*) Village Panchayat, Gadegaon, (District Sholapur) (*ii*) Village Panchayat, Madsingi, (District Sholapur) (*iii*) Panchayat Samiti, Pandharpur, (District Sholapur) (*iv*) Panchayat Samiti, Sangola, District Sholapur) (*v*) Zila Perished, Sholapur, (District Sholapur)
13. Rajasthan	20th and 21st March, 1965.	(*i*) Panchayat Samiti, Padampur, (District Sri Ganganagar) (*ii*) Panchayat Samiti, Mirjewala, (District Sri Ganganagar) (*iii*) Zila Parishad, Sri Ganganagar.

APPENDIX III

Nomenclature of Panchayati Raj Institutions and their Executive Heads

Sl. No.	State	Village Panchayat		Panchayat Samiti		Zila Parishad	
		Name of the body	Designation of the Head	Name of the body	Designation of the Head	Name of the body	Designation of the Head
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	Gram Panchayat	Sarpanch	Panchayat Samiti	President	Zila Parishad	Chairman
2.	Assam	Gaon Panchayat	President	Anchalik Panchayat	President	Mohkuma Parishad	President
3.	Bihar	Executive Committee	Mukhiya	Panchayat Samiti	Pramukh	Zila Parishad	Adhyaksha
4.	Gujarat	Gram Panchayat	Sarpanch	Taluka Panchayat	President	Zila Parishad	President
5.	Jammu & Kashmir	Village Panchayat	Sarpanch	—	—	—	—
6.	Kerala	Panchayat	President	—	—	—	—
7.	Madhya Pradesh	Gram Panchayat	Sarpanch	Janapada Panchayat	President	Zila Panchayat	Chairman
8.	Madras	Village Panchayat	President	Panchayat Union Council	Chairman	Distt. Dev. Council	Chairman
9.	Maharashtra	Village Panchayat	Sarpanch	Panchayat Samiti	Chairman	Zila Parishad	President
10.	Mysore	Village Panchayat	Chairman	Taluka Board	President	Distt. Dev. Council	President
11.	Orissa	Gram Panchayat	Sarpanch	Panchayat Samiti	Chairman	Zila Parishad	Chairman
12.	Punjab	Gram Panchayat	Sarpanch	Panchayat Samiti	Chairman	Zila Parishad	Chairman
13.	Rajasthan	Panchayat	Sarpanch	Panchayat Samiti	Pradhan	Zila Parishad	Pramukh
14.	Uttar Pradesh	Gaon Panchayat	Pradhan	Kshettra Samiti	Pramukh	Zila Parishad	Adhyaksha
15.	*West Bengal	Gram Panchayat	Adhyaksha	Anchalik Parishad	President	Zila Parishad	Chairman
16.	As suggested and used by the Committee	Village Panchayat	Sarpanch	Panchayat Samiti	Chairman or Pradhan	Zila Parishad	President or Adhyaksha

*West Bengal has got 4-tier system of Panchayati Raj. There is an institution between Gram Panchayat and Anchalik Parishad known as Anchal Panchayat. Generally an Anchal Panchayat is constituted for 5 to 7 Village Panchayats with Pradhan as its presiding officer.

APPENDIX IV

Village Panchayats

Sl. No.	State	Number of members	Term of office	Are all members elected ?	Mode of Election	Constituencies, single member or plural	Average number of voters in a constituency	Sarpanch and Up-Sarpanch. How elected ?	Are party symbols given to the candidates seeking election to Panchayats?
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	5—37	5 years	Yes	Panchayat area is divided into as many constituencies as there are number of seats—voting by secret ballot (marking system).	Single member	300	By members of Panchayat	No
2.	Assam . .	9—11	4 years	Yes. One Scheduled Caste and 2 women coopted if not elected.	Panchayat area is divided into constituencies. Equal number of voters are distributed in each constituency—voting by secret ballot (marking system).	Do.	200	Do.	No
3.	Bihar . .	9	3—5 years	4 members and Mukhiya directly elected. Remaining 4 members are appointed by the Mukhiya.	Panchayat area is divided into four wards for the purpose of election—voting by secret ballot (marking system).	Do.	600	Direct Election for Mukhiya. Up-Mukhiya elected by members of executive committee.	No
4.	Gujarat . .	9—15	4 years	Yes.	Panchayat area is divided into wards voting by secret ballot (marking system).	Single member as well as plural	100	By members of Panchayat.	No

5. Jammu & Kashmir .	7—11	4 years	Majority of panches are elected—Government can nominate.	Panchayat area is divided into wards. For next elections voting will be by secret ballot (marking system).	Single Member.	350	By members of panchayat.	No
6. Kerala .	7—15	5 years	Yes. If no woman is elected, 1 woman may be nominated.	Panchayat area is divided into wards. Voting by secret ballot (marking system).	Single and double member constituencies	1,200	By members of panchayat.	Yes. But last elections were contested on non-party basis.
7. Madras .	5—15	5 years	Yes. All members elected, 1 woman may be coopted.	Village or town is divided into wards and collector fixes the number of members to be elected from each ward. Election by secret ballot (marking system as well as multiple box system).	Plural Constituencies.	360	Do.	No
8. Mysore .	11—19	4 years	Yes.	Village is divided into wards. Election by secret ballot (multiple box system).	Do.	340	Do.	No
9. Madhya Pradesh .	10—25	5 years	Yes. Besides elected members, 2 women, 1 Sch. Caste and 1 Sch. Tribe may be coopted if not elected.	Panchayat area is divided into wards (multiple box system).	Single	80	Do.	No
10. Maharashtra .	7—15	4 years	Yes.	Panchayat area is divided into wards.	Generally plural	950	Do.	No

1	2	3	4	5	6	7	8	9	10
11.	Orissa	11—25	3 years	Yes.	Panchayat area is divided into wards. Voting is by secret ballot.	Both single and plural.	300	Direct election for Sarpanch. Naib Sarpanch by members of Gram Panchayat.	No
12.	Punjab	5—9	3 years	Yes. 1 woman coopted if not elected.	Panchayat area is not divided into wards. Entire Panchayat area is treated as a Single Constituency. The election is by single non-transferable vote (multiple box system).	—		The candidate securing maximum votes is declared as Sarpanch. There is no Up-Sarpanch.	No
13.	Rajasthan	5—20	3 years	Yes. 2 women, 1 Sch. Caste may be coopted if not elected.	Panchayat area is divided into wards. Election is by secret ballot.	Plural	125	Direct election for Sarpanch and Up-Sarpanch is elected by panches.	No
14.	Uttar Pradesh	16—31	5 years	Yes.	Panchayat area is divided into wards. Voting is by show of hands for members. (Secret ballot system will be adopted in the next election).	Plural	Vast Variation.	Pradhan is directly elected by secret ballot. Up-Sarpanch is elected by members of Panchayat.	No
*15.	West Bengal	9—15	4 years	Yes.	Panchayat area is divided into wards. Voting is by secret ballot.	Plural	150	Elected by panches.	No

* *Anchal Panchayats* :—In West Bengal, there is an Anchal Panchayat for 5 to 7 Gram Panchayats. It consists of members elected by Gram Panchayats on the basis of one member for every 250 members of Gram Sabha and one additional member if the remaining members of Gram Sabha are not less than 125. Anchal Panchayat elects its own Pradhan and Up-Pradhan and its term is four years.

APPENDIX V

Composition term and mode of Elections of Panchayat Samitis

Sl. No.	State	Level of Samiti/term	Composition & mode of Elections	Chairman of the Panchayat Samiti—How elected ?
1	2	3	4	5
1.	Andhra Pradesh . . .	Block 5 years	(1) Presidents of all Panchayats and Town Committees in the Block. (2) Local MLAs and MLCs (with right to vote) (3) 1 person nominated by the District Collector for every unit for which Panchayat or Town Committee has not been constituted or no President or Sarpanch has been elected. *Reservation & Cooption* (4) 2 women. (5) 1 or 2 from Scheduled Castes. (6) 1 from Scheduled Tribes. (7) 2 persons interested in rural development.	President of the Panchayat Samiti is elected by the members of the Panchayat Samiti from among themselves by secret ballot.
2.	Assam (Anchalik Panchayat) .	Black 4 years	(1) All Presidents of Gaon Panchayats in the Anchal. (2) 1/3 of the number of members under (1) above subject to a minimum of 2 to be elected from amongst members of Gaon Sabhas by an electoral college of all members of Gaon Panchayats in the Anchal. Election by secret ballot (marking system) held soon after election/cooption of all members of Gaon Panchayats completed. (3) 1 representative elected by Chairman of Co-operative Societies. (4) Such number of members as may be nominated by State Government from unrepresented areas like Tea gardens and forest villages.	President of Anchalik Panchayat is elected by the members of Anchalik Panchayat from among themselves, by secret ballot.

1	2	3	4	5
Assam—*Contd.*			(5) Local MLAs and such officers as are appointed by Government (*ex-officio* members with no right to vote). *Reservation & Cooption* (6) 1 Scheduled Caste/Tribe member if more than 5% of the total population are from the Scheduled Castes/Scheduled Tribes. (7) 2 women coopted if not otherwise elected.	
3. Bihar		Block 3 years	(1) Mukhiyas of Gram Panchayats in the block. (2) Chairman of Municipalities and Vice Chairmen of Notified Area Committees. (3) The Presidents of the Union Boards constituted under the B & O Village Administration Act, 1922 in the Block, if any. (4) Three representatives of the Cooperative Societies having their registered office in the Block (other than a Central Cooperative Bank). (5) 1 member of managing committee of Central Cooperative Bank to be elected by the Managing Committee. (6) Local MPs, MLAs and MLCs. (associate members). *Reservation & Cooption* (7) 2 women if not otherwise elected. (8) 2 persons residing in the block with experience, in administration, public life or rural development. (9) 2 persons from each of such of the following categories whose population exceeds 10% of the total population (one person if it is between 5 & 10 per cent) if such persons are not otherwise elected : (*i*) Scheduled Castes (*ii*) Scheduled Tribes (*iii*) Persons other than of Scheduled Castes and Scheduled Tribes.	Pramukh of the Panchayat Samiti is elected by the members of the Panchayat Samiti from among themselves by secret ballot.

4. Gujarat (Taluka Panchayats) .	Taluka 4 years		(1) Sarpanch (in his absence Up-Sarpanch) and Chairman (in his absence Vice-Chairman) of every Gram and Nagar Panchayat respectively. (2) Members elected by Chairman of Cooperative Societies in a Taluk from amongst themselves—their number may be 1/10 of those in (1) above. (3) Local MLAs, Presidents of Municipalities. Local members of District Panchayat and the Mamlatdar and Mahalkari (associate members). *Reservation & Cooption* (4) 2 women interested in welfare activities of women and children. (5) 2 representatives of Scheduled Castes. (6) 2 representatives of Scheduled Tribes. (7) 2 social workers having experience in rural development.	The President of Taluka Panchayat is elected by members of the Taluka Panchayat from amongst themselves by secret ballot.
5. Jammu & Kashmir . . .		—	—	—
6. Kerala		—	—	—
7. Madhya Pradesh (Janapada Panchayat)	Block 3 years		(1) Members of elected by Panches from among themselves. (A Janapada Panchayat is divided into constituencies. Number of members from each constituency is fixed by Government. Members of Gram Panchayats falling in a constituency elect the members of Janapada Panchayat by secret ballot.) (2) 1 councillor representing each municipal corporation or council or notified area committee in the Block elected by the Councillors of such body from amongst themselves. (3) Local MLAs (with right to vote).	President of Janapada Panchayat is elected by the members of Janapada Panchayat from amongst themselves, by secret ballot.

1	2	3	4	5
			(4) 1 representative of cooperative institutions. *Reservation & Cooption* (5) 2 women if not elected. (6) 1 member of Scheduled Caste or/and Scheduled Tribe coopted by the Janapada Panchayat if not elected.	
8.	Madras (Panchayat Union Council)	Block 5 years	(1) Presidents of Village Panchayats and Town Committees. (2) Local MLAs and MLCs in the area (associate members) *Reservation & Cooption* (3) Such number of women and Scheduled Caste members coopted as to make their total number 3 each.	The Chairman is elected by the members of Panchayat Union Council from amongst themselves by secret ballot.
9.	Maharashtra	Taluka/Blocks; term as long as the member retains office by virtue of which he is a member.	(1) Directly elected councillors of the Zila Parishad from the electoral divisions in the Samiti. (2) Coopted councillors, if any, to the Zila Parishad, residing in the Samiti. (3) Sarpanches to be elected by the Panches. For election to (3) each electoral division is divided into two electoral colleges of Panches. Each college elects a Sarpanch from amongst the Sarpaches of Panchayats falling within its area. *Reservation & Cooption* (4) 2 representatives of cooperative societies (associate members). (5) 1 woman (6) 1 Scheduled Caste (7) 1 Scheduled Tribe } If not elected.	Chairman is elected by the members of Panchayat Samiti at (1) and (3) in Col. 4, from among themselves.

10. Mysore (Taluk Development Board)	Taluka 4 years	(1) Members directly elected by secret ballot by the electorate of the Taluk. (2) Local MLAs and MLCs (with right to vote). *Reservation & Cooption* (3) 2 seats for women. (4) Seats for Scheduled Caste on the basis of population. (A new Bill has been introduced in the Legislature and is before the Select Committee now).	President is elected by members of Taluk Development Board from amongst themselves by secret ballot.
11. Orissa	Block 4 years	(1) Sarpanches of all Panchayats in Block. (2) 1 member (other than a panch) elected by each of the Panchayats (for each non-panchayat area one person nominated by collector). (3) Chairman of Municipalities and Notified Area Councils with population not exceeding 20,000. (4) BDO and one officer from each of the development departments and of the revenue department (with no right to vote). (5) MLAs (with no right to vote). *Reservation* (6) 1 woman. (7) 1 person from Scheduled Castes and 1 from Scheduled Tribes provided no such member comes in the normal course and such population is 5% of the total population of the Block.	The Chairman is elected by the members of the Panchayat Samiti at No. (1), (2), (6) and (7) from amongst themselves by secret ballot.
12. Punjab	Tehsil/Block 3 years	(1) 16 members elected by panches and sarpanches in the Block from amongst themselves. For the purpose of election, an electoral roll of panches and sarpanches in a block is prepared. The prescribed number of candidates are elected by secret ballot.	Chairman is elected from amongst the non-official and coopted members of Panchayat Samiti by secret ballot.

1	2	3	4	5
	Punjab—*Contd.*		(2) Local MLAs and MLCs (associate members). (3) S.D.O./B.D.Os. as *ex-officio* members (with no right to vote). *Reservation & Cooption* (4) 2 members representing cooperative societies and 1 representing market committees in the Block, elected by members of such bodies from amongst themselves. (5) Such number of women and Scheduled Castes and Tribes members as to make their total strength (including the elected) 2 and 4 respectively.	
13.	Rajasthan	Block 3 years	(1) Sarpanches } *Ex-officio* (2) MLAs (with right to vote) } *Ex-officio* (3) S.D.O. (no right to vote) } *Ex-officio* (4) One member from each Nyaya Circle elected by panches in the circle. *Reservation & Cooption* (5) 2 women. (6) 2 Scheduled Castes. (7) 2 Scheduled Tribes. (8) A representative of Gramdan villages. (9) 3 representatives of cooperative societies (Associate members).	Pradhan is to be elected by an electoral college of *ex-officio* and coopted members of Panchayat Samiti (excluding S.D.O.) and the elected and coopted members of the Panchayats in the Panchayat Samiti area.
14.	Uttar Pradesh (Kshettra Samiti)	Block 5 years	(1) Pradhans of Gaon Sabhas. (2) Chairmen of Town Area and Notified Area Committees. (3) 2—5 representatives of coopeartive societies or groups chosen in prescribed manner. (Elected heads of specified cooperative societies elect these representatives from among themselves).	Pradhan is elected by the members of Kshettra Samiti from amongst themselves by a system of proportional representation by single transferable vote.

		(4) Local MPs, MLAs and MLCs. (with right to vote). *Reservation & Cooption* (5) 2 persons interested in planning & development. (6) As many representatives of Scheduled Castes and women to be coopted as to make their number 8 and 5 respectively.	
15. West Bengal (Anchalik Parishad)	Block 4 years	(1) Pradhans and Presidents of Union Boards in the Block. (2) 1 Adhyakashas from each Anchal Panchayat elected by Adhyakashas of the Anchal. (3) MPs, MLAs and MLCs of the Block (with right to vote and hold office). (4) 2 women and two members belonging to backward communities appointed by State Government. (5) B.D.O. as associate member. *Reservation & Cooption* (6) 2 persons having knowledge or experience of social work or rural development.	The President is elected by the non-official members of Anchalik Parishad from amongst themselves by secret ballot.

APPENDIX VI

Composition, term and mode of Elections of Zila Parishads

Sl. No.	State	Level of Parishad/term	Composition and Mode of Election	Chairman of the Zila Parishad—how elected ?
1	2	3	4	5
1.	Andhra Pradesh . . .	District; 5 years	(1) Presidents of all Panchayat Samitis in the District. (2) District Collector. (3) Local MPs, MLAs and MLCs. (With right to vote). (4) For blocks having no Panchayat Samitis, 1 person elected by the Panchayat Presidents in area. *Reservation & Cooption* (5) 2 women. (6) 1 or 2 from Scheduled Castes. (7) 1 from Scheduled Tribes if population exceeds 5%.	Chairman is elected by the members of Zila Parishad from amongst themselves at a meeting held soon after the election of coopted members.
2.	Assam (Mohkuma Parishad) .	Sub-Division; 4 years	(1) Presidents of all Anchalik Panchayats in the Sub-Division. (2) All local MPs and MLAs (with right to vote and hold office). (3) Chairmen of Municipalities, Town Committees and School Boards. (4) Deputy Commissioner and S.D.O. (5) Chairman of Cooperative Central Bank. (6) Such other official as are appointed by Government as *ex-officio* members. *Reservation & Cooption* (7) 1 Scheduled Caste/Tribe member if not elected. (8) 2 women coopted if not elected.	President is elected by the members of Mohkuma Parishad from among themselves by secret ballot.

3. Bihar	District; 3 years	(1) All Pramukhs of Panchayat Samitis. (2) Local MPs, MLAs and MLCs (with right to vote). (3) 3 persons elected by an electoral college of Commissioners of Municipalities and Notified Area Committee. (4) 2 persons elected by an electoral college of members of the managing committees of all Central Cooperative Banks from themselves. (5) 1 person nominated by the Bihar State Panchayat Parishad. *Reservation & Cooption* (6) 1 person each from Scheduled Caste and Scheduled Tribe to be coopted when their population exceeds 5% of total population. (7) 3 women coopted, if women are not otherwise members.	Adhyaksha is elected by the members of Zila Parishad from among themselves by secret ballot.
4. Gujarat (District Panchayat) .	District; 4 years	(1) Presidents of Taluka Panchayats. (2) 1 member elected by each Taluka Panchayat from amongst its members. (3) Members elected to such number of seats not exceeding the total number of members under (1) and (2) above. (For this purpose district is divided into as many constituencies (single member) as there are seats. The electoral rolls used for this election are the same as for the State Assembly. The election is by secret ballot). (4) Local MPs, MLAs and Presidents of Municipalities and the District Collector (associate members). *Reservation & Cooption* (5) Reservation of one seat or more for Scheduled Castes on the basis of population. (6) 2 seats for women.	The President is elected by the members of District Panchayat from amongst themselves by secret ballot.

1	2	3	4	5
	Gujarat—*Contd.*		(7) Reservation of seats for Scheduled Tribes in proportion to their population where the population of such tribes is not less than 5%. (8) 2 persons having experience in education (associate members).	
5.	Jammu & Kashmir . . .	—	—	—
6.	Kerala	—	—	—
7.	Madhya Pradesh (Zila Panchayat)	District; 5 years	(1) Presidents of Janapada Panchayats. (2) Local MPs and MLAs (with right to vote). (3) District officers representing, public health, engineering, education, agriculture, veterinary and other development departments (without right to vote). *Reservation & Cooption* (4) 1 woman. (5) 1 member of Scheduled Caste or Scheduled Tribe or a member each of both. (6) 1 representative of cooperative institutions.	Chairman is elected by the members of Zila Panchayat from amongst themselves.
8.	Madras (District Development Council)	District; (Non-official member to hold office so long as they continue to be MP, MLA, Chairman of Panchayat Union Council, Chairman of Municipal Councils and Presidents of Co-operative Central Banks.	(1) District Collector. (2) Local MPs and MLAs (with right to vote & hold office). (3) Chairmen of Panchayat Union Councils and Municipal Councils. (4) Presidents of Cooperative Central Banks. (5) Such officers connected with planning and development as nominated by the Government.	District Collector is the Chairman.
9.	Maharashtra	District; 5 years	(1) 40—60 Councillors directly elected from electoral divisions in the district. The District is divided into a number of electoral divisions each of approximately 35,000 population and each division elects one member.	President of Zila Parishad is elected by the members of the Zila Parishad from amongst themselves by secret ballot.

		Political parties are officially recognised in these elections and party symbols are allotted. (2) Chairmen of Panchayat Samitis. (3) Chairmen of 5 Federal Cooperative Societies. *Reservation & Cooption* (4) 1 woman coopted by councillors if not elected. (5) Seats may be reserved for Scheduled Castes and Scheduled Tribes having regard to their population.	
10. Mysore	District; 4 years	(1) Deputy Commissioner. (2) Local MPs, MLAs and MLCs (with right to vote). (3) Presidents of Taluka Boards. (4) Such officers (not exceeding 15) nominated by the Govt. *Reservation & Cooption* (5) 1 woman nominated. (6) 1 Scheduled Caste member nominated. (*New Bill has been introduced in the Legislature and is before Select Committee*).	Deputy Commissioner is the Chairman.
11. Orissa	District; 4 years	(1) Chairman of Panchayat Samitis. (2) Chairmen of the Municipalities and Notified Area Councils with a population of more than 20,000. (3) Presidents of the Central Cooperative Banks in the Distt. (4) Collector and other District officers and S.D.Os. (with no right to vote). (5) MPs and MLAs (with no right to vote). *Reservation* (6) If non-official members do not include a woman a woman is elected by the non-official members.	The Chairman of Zila Parishad is elected from among the Chairmen of Panchayat Samitis by all non-official members.

1	2	3	4	5
12. Punjab		District; 3 years	(1) Chairmen of Panchayat Samitis. (2) 2 members from out of the primary members of every Samiti, elected by the Samiti members. (3) Deputy Commissioner (with no right to vote). (4) Local MPs, MLAs and MLCs (associate members). *Reservation & Cooption* (5) 2 women and 5 Scheduled Castes/Tribes members coopted, if not elected.	Chairman is elected by members referred at (1), (2) and (5) in Col. 4 from amongst themselves by secret ballot.
13. Rajasthan		District; 3 years	(1) Pradhans of Panchayat Samitis in the district. (2) MPs and MLAs. (3) District Development Officer (with no right to vote). (4) President of Central Cooperative Bank. (5) Chairman of the District Cooperative Union. *Reservation & Cooption* (6) Two women. (7) 1 Scheduled Caste. (8) 1 Scheduled Tribe.	Pramukh is elected by an electoral college of : (*i*) *Ex-officio* and coopted members of Zila Parishad (except District Development Officer). (*ii*) *Ex-officio* and coopted members of Panchayat Samitis (except S.D.O.).
14. Uttar Pradesh		District; 5 years	(1) Pramukhs of Kshettra Samitis. (2) So many persons, as may be specified by the State Govt. to be chosen by each Kshettra Samiti out of its members. (3) Presidents of Municipal Boards. (4) 4 representatives of various Cooperative Institutions in the district. (5) Persons (not exceeding 3) to be chosen by the State Govt. from among persons engaged in social, cultural, literary, or professional activities. (6) MPs, MLAs and MLCs. (with right to vote).	Adhyaksha is elected by the members of Zila Parishad through the system of proportional representation by single transferable vote.

		Reservation and Cooption (7) Such number of women as to make their total 3, in case of districts having 7 Blocks or less and 5 in case of other districts. (8) Such number of Scheduled Caste members as will bring their number to such figures as may be specified by Govt. and which shall neither be less than 3 nor more than 10 in the case of districts having 7 blocks or less and neither less than 5 nor more than 10 in the case of other districts.	
15. West Bengal	District; 4 years	(1) Presidents of Anchalik Parishads. (2) 2 Adhyakshas of Gram Panchayats from each Sub-Division of the district elected by Adhyakshas. (3) MPs, MLAs and MLCs (with right to vote and hold office). (4) A Chairman of Municipality in the district appointed by the State Government. (5) President of District School Board. (6) 2 women appointed by State Government. (7) All S.D.Ms. and District Panchayat Officer (associate members.)	Chairman is elected by the members of Zila Parishad from among themselves except Chairman of Municipality/Mayor of Corporation/President of District School Board and other officers.

APPENDIX VII

Representation of Scheduled Castes and women in Village Panchayats

Sl. No.	State	Scheduled Castes and Scheduled Tribes	Women	How elected
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	One or more depending on population.	1, if total strength of Gram Panchayat is 7 or less and 2, if more.	Reservation of seats made by Commissioner, members for reserved seats elected.
2.	Assam	1, if not elected.	2, if none elected. 1, if one elected.	Coopted by Gram Panchayat.
3.	Bihar	No specific provision—Mukhiya while nominating 4 members shall give due consideration to the representation of women, Scheduled Castes and Scheduled Tribes.		
4.	Gujarat	One or more depending on population of Scheduled Castes.	Two	Elected in the same way as other members.
5.	Madras	Inspector to fix the number depending on population. Seats so fixed not to exceed 1/5 of the strength of Panchayat.	1, if not elected.	(*i*) Scheduled Castes by election. (*ii*) Women coopted by Panchayat.
6.	Maharashtra	Seats reserved for Scheduled Castes depending upon their population.	Two	Elected in the same way as other members.
7.	Madhya Pradesh	Seats reserved for Scheduled Castes and Scheduled Tribes depending upon their population.	Two	Scheduled Castes and Scheduled Tribes by election. Women by cooption.
8.	Mysore	Seats reserved for Scheduled Castes and Scheduled Tribes depending upon their population.	Two	By election. Seats for women and Scheduled Castes reserved.
9.	Orissa	No specific provision.	No provision.	
10.	Punjab	1, if Scheduled Caste's population is 5% or more, 2, if Scheduled Caste's population is 10% or more.	1, if not elected.	Scheduled Castes by election, women by cooption.

11. Rajasthan . .	Scheduled Caste 1, Scheduled Tribes, if population exceeds 5%.	Two	Coopted by Panchayat.
12. Uttar Pradesh .	Representation of Scheduled Castes depending on their population.	—	Election in the same way as other members.
13. West Bengal . .	—	—	—
14. Kerala . . .	1, if more than 5% of voters belong to Scheduled Castes.	One	Scheduled Castes elected, women nominated by Panchayat.
15. Jammu & Kashmir .	—	—	—

APPENDIX VIII

Representation of Scheduled Castes and Women in Panchayat Samitis

Sl. No.	State	Scheduled Castes and Scheduled Tribes	Women	How elected
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	1, Scheduled Caste, 1 Scheduled Tribe, if their population is 5% or more. If Scheduled Tribe's population is less than 5% one more Scheduled Caste member.	Two	Coopted by *ex-officio* members by secret ballot.
2.	Assam	1 Scheduled Caste/1 Scheduled Tribe if their population exceeds 5% of total population.	2 women if none elected, 1 if one already elected, none if two already elected.	Coopted at a meeting presided over by an officer nominated by D.C./S.D.O.
3.	Bihar	1 Scheduled Caste and/or 1 Scheduled Tribe if their population between 5—10%. Two each if more than 10%.	Do.	Coopted by members of Panchayat Samitis other than associate members.
4.	Gujarat	2 Scheduled Castes and two Scheduled Tribes if their population in Taluka exceeds 5% of total population.	2 women interested in women and child welfare.	Coopted.
5.	Jammu & Kashmir	—	—	—
6.	Kerala	—	—	—
7.	Madhya Pradesh	Seats for Scheduled Castes and Scheduled Tribes reserved in the same proportion as their population bears to total population. They are elected like other members. If, however, no one is elected, 1 Scheduled Caste and 1 Scheduled Tribe coopted by the elected members.	Two women coopted by elected members by secret ballot.	—

8. Madras	If the number of members of Scheduled Castes and women is less than 3, each in the normal course as many may be coopted as to make their number three.		
9. Maharashtra	If members of Panchayat Samitis of the categories 'Zila Parishad Councillors' and 'Sarpanches of Panchayats' do not include a person belonging to Scheduled Caste/Tribe or a woman, one each may be coopted.		
10. Mysore	Seats reserved for Scheduled Castes and Scheduled Tribes in proportion to their population in the Taluka.	Not more than 2 seats reserved for women.	Constituencies reserved in direct election.
11. Orissa	1 Scheduled Caste and Scheduled Tribe, if their population exceeds 5% and no one comes otherwise.	1 woman if not already elected.	By election at a specially convened meeting of elected members of Panchayat Samiti.
12. Punjab	Four	Two	Cooption of so many members as to make their strength as given.
13. Rajasthan	2 Scheduled Castes and 2 Scheduled Tribes (if population of Scheduled Tribes is more than 5%) in case not already elected.	Two women if none elected, 1 if one already elected, none if two already elected.	Coopted at a meeting specially convened by the Collector.
14. Uttar Pradesh	Cooption of as many women and Scheduled Castes as to make their numbers five and eight respectively.		
15. West Bengal	2 backward communities.	Two	Appointed by State Government.

APPENDIX IX

Representation of Scheduled Castes and women in Zila Parishad

Sl. No.	State	Scheduled Castes and Scheduled Tribes	Women	How elected
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	1 Scheduled Caste and 1 Scheduled Tribe. If Scheduled Tribe's population is less than 5%, then two Scheduled Castes.	Two	Coopted.
2.	Assam	1 Scheduled Caste or Scheduled Tribe if none already.	2 if none, 1 if one already.	Coopted.
3.	Bihar	1 Scheduled Caste and 1 Scheduled Tribe if their population exceeds 5%.	3, if none already.	Coopted.
4.	Gujarat	1 or more for Scheduled Caste, 1 or more for Scheduled Tribe on basis of their population.	Two	Elected at the general election of District Panchayat.
5.	Jammu & Kashmir	—	—	—
6.	Kerala	—	—	—
7.	Madhya Pradesh	If Zila Parishad does not include 1 woman and 1 Scheduled Caste and/or Scheduled Tribe, Zila Parishad shall coopt one each by secret ballot.		
8.	Madras	No.	No.	
9.	Maharashtra	If directly elected councillors do not include a woman—only elected councillors to coopt two women from different blocks, if one woman already one more. For Scheduled Castes/Tribes, State Government may reserve certain seats for them in the direct elections if on the basis of population it is considered necessary.		
10.	Mysore	1 Scheduled Caste.	1 woman.	Nominated by the Government.
11.	Orissa	—	1 if not already elected.	Elected by non-official members.

12. Punjab . . .	5 Scheduled Castes/Tribes.	2 women.	Such number of members coopted by Zila Parishad as to make up their strength as specified.
13. Rajasthan . .	1 from Scheduled Caste if not otherwise elected, 1 from Scheduled Tribe if not otherwise elected and population exceeds 5%.	2, if none. 1, if one already.	Cooption by non-official members.
14. Uttar Pradesh .	Number to be specified but not less than 3 not more than 10. (in districts of 7 blocks or less); in other districts not less than 5 and not more than 10.	3 (in districts of 7 blocks or less) in other districts 5.	Cooption to bring the number to the specified figure.
15. West Bengal . .		Two	Appointed by State Government.

APPENDIX X

Functional Committees of Village Panchayats in different States

Sl. No.	State	Number of Committees	Subjects	Chairman
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh .	4 or more.	(*i*) Agriculture. (*ii*) Public Health. (*iii*) Sanitation. (*iv*) Communication.	Not specified.
2.	Assam . . .	No fixed number.	Not specified. A Panchayat may constitute a Committee on any subject, with which it is concerned.	Not specified.
3.	Bihar . . .	Eight.	(*i*) Agriculture. (*ii*) Irrigation. (*iii*) Education. (*iv*) Finance. (*v*) Sanitation. (*vi*) Public Health. (*vii*) Communication. (*viii*) Watch and Ward.	The member of the Panchayat Executive Committee who is in-charge of particular subject, acts as Chairman of Committee on that subject.
4.	Gujarat . . .	3 or more.	(*i*) Production. (*ii*) Public Health and Public Works. (*iii*) Education.	If Sarpanch is member Sarpanch and if Sarpanch is not there and Up-sarpanch is member, he acts as Chairman. In other cases members elect the Chairman.
5.	Jammu & Kashmir .	1—5	For any items of work assigned to Panchayat.	The Chairman is nominated by the Panchayat from amongst the members of the Committee.
6.	Kerala . . .	5 or more.	(*i*) Agriculture. (*ii*) Sanitation. (*iii*) Public Health. (*iv*) Communication. (*v*) Education.	President of Village Panchayat acts as Chairman of Committees.

7. Madhya Pradesh .	7 or more.	(*i*) Agriculture. (*ii*) Education. (*iii*) Social Welfare. (*iv*) Taxation and Finance. (*v*) Communication. (*vi*) Cooperation and Industries. (*vii*) General.	Chairman is elected by members.
8. Maharashtra . .	No fixed number.	A Panchayat may constitute a Committee on any subject assigned to it, from among its members.	Not specified.
9. Madras . .	No provision.	—	—
10. Mysore . . .	3 or more.	(*i*) Agriculture. (*ii*) Health. (*iii*) Village Industries.	Not specified.
11. Orissa . . .	4 or more.	(*i*) Finance. (*ii*) Public Works. (*iii*) Education. (*iv*) Medical and Sanitation.	Gram Panchayat appoints the Chairman.
12. Punjab . . .	No fixed number.	Not specified.	Not specified.
13. Rajasthan . .	One	Agriculture.	Sarpanch.
14. Uttar Pradesh .	Four	(*i*) Agricultural Production. (*ii*) Land Management. (*iii*) Education. (*iv*) Welfare.	Pradhan or Up-pradhan to be *ex-officio* Chairman.
15. West Bengal . .	No provision for Village Panchayat, An Anchal Panchayat may however form one or more committees.	Subjects not specified. Anchal Panchayat may form Committee or Committees on any subject with which it is concerned.	Not specified.

APPENDIX XI

Standing Committees of Panchayat Samitis in different States

Sl. No.	State	Number of Committees	Subject	Chairman
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh .	Seven or more.	(*i*) Agriculture and Animal Husbandry. (*ii*) Cooperation and Industries. (*iii*) Welfare of women and children. (*iv*) Education. (*v*) Social Welfare. (*vi*) Communication and Works. (*vii*) Taxation and Finance.	President of the Panchayat Samiti is *ex-officio* Chairman.
2.	Assam . . .	No fixed number.	Anchalik Panchayat may constitute a committee on any subject assigned to it.	Not specified.
3.	Bihar . . .	Eight or more. This number can be increased with the approval of the Zila Parishad.	(*i*) Agriculture, Animal Husbandry and Cooperation. (*ii*) Social Education, Local Arts and Crafts, Small Savings and Cottage Industries. (*iii*) Public Health. (*iv*) Communication and Works. (*v*) Social Welfare and programme for weaker sections. (*vi*) Finance and Taxation. (*vii*) Irrigation. (*viii*) Education.	The Pramukh is the *ex-officio* Chairman of the Standing Committee for Finance and Taxation and also of other Committees on which he is elected as member. In any other Committee, members elect the Chairman.
4.	Gujarat . . .	Seven	(*i*) Education. (*ii*) Production. (*iii*) Public Works. (*iv*) Health. (*v*) Cooperation and Small Industries. (*vi*) Social Welfare. (*vii*) Executive.	The President of the Taluk Panchayat shall be *ex-officio* member and Chairman of the Executive Committee. Other Committees elect the Chairman unless President or Vice-President happens to be the members; in that case he acts as Chairman.

5. Jammu & Kashmir .	—	—	—
6. Kerala . . .	—	—	—
7. Madhya Pradesh .	7 or more.	(*i*) Agriculture. (*ii*) Education. (*iii*) Social Welfare. (*iv*) Taxation and Finance. (*v*) Communication and Works. (*vi*) Cooperation and Industries. (*vii*) General.	Chairman is elected from amongst its members. President of Janapada Panchayat shall be *ex-officio* Chairman of the Taxation and Finance Committee.
8. Madras . .	3 or more, other Committees may be appointed by the Panchayat Union Council or if required to do so by the State Govt.	(*i*) Appointments. (*ii*) Education. (*iii*) General purpose.	Chairman of the Panchayat Union Council
9. Maharashtra . .	No provision to form Committees.	—	—
10. Mysore . . .	Six.	(*i*) Standing. (*ii*) Audit. (*iii*) Public Health. (*iv*) Agriculture. (*v*) Village & Small Industries. (*vi*) Scheduled Castes and Scheduled Tribes Welfare.	President of the Taluk Board. In case of public Health Committee. Vice-President of the Taluk Board.
11. Orissa. . .	Five, Number can be increased with the approval of the State Government.	(*i*) Planning, Finance & Budget. (*ii*) Agriculture, Miner Irrigation, Co-operation, Industries etc. (*iii*) Education, Health and Sanitation. (*iv*) Welfare of Weaker Sections. (*v*) Communication and Works.	Chairman of the Pachnayat Samiti.
12. Punjab . . .	Three.	(*i*) Taxation and Finance. (*ii*) Agricultural Production, Animal Husbandry, Minor Irrigation, Power, Communication and Works. (*iii*) Education, Social Welfare, Public Health and Sanitation including Rural water supply, Cottage Industries, Cooperatives and Housing.	Chairman of the Panchayat Samiti is the Chairman of Finance and Taxation Committee and for others as prescribed in bye-laws.

APPENDIX XI—*contd.*

(1) (2)	(3)	(4)	(5)
13. Rajasthan . .	Four.	(*i*) Administration, Finance, Taxation and Welfare of Weaker Sections. (*ii*) Productive Programmes. (*iii*) Education including social education. (*iv*) Social services.	Pradhan will be *ex-officio* Chairman of the Standing Committees on Administration, Finance and Taxation.
14. Uttar Pradesh .	Three, may set up a number of other Committees as well.	(*i*) Karyakarini. (*ii*) Utpadan. (*iii*) Kalyan.	Pramukh is *ex-officio* Chairman of Karyakarini, Senior Up-Pramukh of Utpadan Samiti and Junior Up-Pramukh of Kalyan Samiti.
15. West Bengal . .	Seven, the number can be increased with the approval of the State Government.	(*i*) Financial and Establishment. (*ii*) Public Health. (*iii*) Public Works. (*iv*) Agriculture and Irrigation. (*v*) Industry and Cooperation. (*vi*) Public and Social Welfare. (*vii*) Primary Education.	President or Vice-President if elected on the Committee, acts as Chairman. In other Committee the Chairman is elected by the Committee.

APPENDIX XII

Standing Committee of Zila Parishads in different States

Sl. No.	State	Number of Committees	Subjects	Chairman
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	Seven.	(*i*) Planning, Community Development and Communication. (*ii*) Food & Agriculture, Cooperation and Animal Husbandry etc. (*iii*) Industries. (*iv*) Welfare of women and children. (*v*) Social Welfare. (*vi*) Education, Medical & Public Health. (*vii*) Taxation and Finance.	District Collector is the Chairman of all the Standing Committees.
2.	Assam	No fixed number. At present two.	(*i*) Planning and Administration. (*ii*) Sale of flats.	Deputy Commissioner is the Chairman.
3.	Bihar	Six (number can be increased with the approval of the State Govt.)	(*i*) Planning, Community Development & Communication. (*ii*) Agriculture, Animal Husbandry, Cooperation etc. (*iii*) Industries. (*iv*) Education. (*v*) Finance & Taxation. (*vi*) Medical & Public Health.	The Adhyakasha acts as *ex-officio* Chairman of the Standing Committees on which he is elected as a member. Other Committees elect their Chairman.
4.	Gujarat	Seven.	(*i*) Education. (*ii*) Production. (*iii*) Public Works. (*iv*) Cooperation and Small Industries. (*v*) Health. (*vi*) Social Welfare. (*vii*) Executive.	The President of the District Panchayat shall be *ex-officio* Chairman of the Executive Committees. Other Committees elect the Chairman unless President or Vice-President is a member of the Committee. In that case he acts as Chairman.

APPENDIX XII—*contd.*

(1) (2)	(3)	(4)	(5)
5. Jammu & Kashmir .	—	—	—
6. Kerala . . .	—	—	—
7. Madhya Pradesh .	Five. More Committees may be set up with the approval of the State Govt.	(*i*) Planning & Community Development. (*ii*) Education & Social Welfare. (*iii*) Finance. (*iv*) Cooperation. (*v*) Industries.	Chairman of the Zila Parishad.
8. Madras . .	Five. The District Development Council may constitute additional Standing Committees for such purposes as it thinks fit.	(*i*) Food & Agriculture. (*ii*) Industries and Labour. (*iii*) Public Works. (*iv*) Education. (*v*) Health & Welfare.	Committees elect their own Chairman.
9. Maharashtra . .	Seven (One Standing Committee and six Subjects Committees).	(*i*) Standing Committee. (*ii*) Finance (Social Welfare). (*iii*) Works. (*iv*) Cooperation. (*v*) Education. (*vi*) Agriculture. (*vii*) Health.	President is Chairman of Standing Committee, Vice-President shall be Chairman of two Subjects Committees, other two Chairman elected for two Committees each, as determined by the Zila Parishad.
10. Mysore . . .	No fixed number. District Development Council can set up Committees for specific purposes.	—	—
11. Punjab . . .	Three.	(*i*) Taxation and Finance. (*ii*) Agricultural Production etc. (*iii*) Education and Social Welfare etc.	Chairman of the Zila Parishad is Chairman of Taxation and Finance Committee.
12. Orissa . . .	Six. The number can be increased with the approval of the State Government.	(*i*) Planning, Finance and Budget. (*ii*) Agriculture, Minor Irrigation, Cooperation, Industries and other allied schemes. (*iii*) Education, Health and Sanitation including rural water supply. (*iv*) Welfare of weaker Sections.	Chairman of the Zila Parishad is Chairman for (*i*) to (*v*) and Collector of the District is for the sixth.

		(*v*) Communication and Works. (*vi*) Administrative Coordination.	
13. Rajasthan . .	Four.	(*i*) Administration, Finance, Taxation and Welfare of Weaker Sections. (*ii*) Productive Programmes. (*iii*) Education including Social Education. (*iv*) Social Services.	Pramukh will be ex-officio Chairman of the Standing Committees on Administration, Finance and Taxation.
14. Uttar Pradesh .	Six. More Committees can also be established.	(*i*) Karya. (*ii*) Vitta. (*iii*) Niyojan. (*iv*) Jan Swathya. (*v*) Sarvajanik Nirman. (*vi*) Shiksha.	The Adhyaksha of the Parishad is *ex-officio* Chairman of Karya Samiti and Vitta Samiti. Other Committees elect their Chairmen at their first meeting.
15. West Bengal . .	Seven.	(*i*) Finance and Establishment. (*ii*) Public Health. (*iii*) Public Works. (*iv*) Agriculture and Irrigation. (*v*) Industries and Cooperation. (*vi*) Public and Social Welfare. (*vii*) Primary Education.	Chairman or Vice-Chairman if elected as member of the Committee. Other Committees elect their Chairmen.

APPENDIX XIII

Association M.Ps., M.L.As. and M.L.Cs. with the Panchayati Raj Bodies

Sl. No.	State	Panchayat Samiti			Zila Parishad		
		Membership	Right to Vote	Right to hold office	Membership	Right to vote	Right to office
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Andhra Pradesh	MLAs & MLCs.	Yes	No	MPs, MLAs. & MLCs	Yes	No
2.	Assam	MLAs.	No	No	MPs. and MLAs.	Yes	Yes
3.	Bihar	MPs., MLAs. and MLCs.	No	No	MPs., MLAs. and MLCs.	Yes	No
4.	Gujarat	MLAs.	No	No	MPs., MLAs. and MLCs.	No	No.
5.	Jammu & Kashmir	—	—	—	—	—	—
6.	Kerala	—	—	—	—	—	—
7.	Madhya Pradesh	MLAs.	Yes	No	MPs., MLAs.	Yes	No.
8.	Madras	MLAs. and MLCs.	No	No	MPs., MLAs.	Yes	Collector. Chairman.
9.	Maharashtra	No.	No	No	No.	No	No
10.	Mysore	MLAs. and MLCs.	Yes	No	MPs., MLAs. and MLCs.	Yes	Dy. Com. Chairman.
11.	Orissa	MLAs.	No	No	MPs. and MLAs.	No	No
12.	Punjab	MLAs., MLCs.	No	No	MPs., MLAs. and MLCs.	No	No
13.	Rajasthan	MLAs.	Yes	No	MPs. and MLAs.	Yes	Yes
14.	Uttar Pradesh	MPs., MLAs and MLCs.	Yes.	No	MPs., MLAs. and MLCs.	Yes	No
15.	West Bengal	MPs., MLAs. & MLCs.	Yes	Yes	MPs., MLAs. and MLCs.	Yes	Yes

APPENDIX XIV

Representation to Cooperatives in Panchayati Raj Bodies

Sl. No.	State	Panchayats	Panchayat Samitis	Zila Parishads
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	—	—	—
2.	Assam	—	1 representative to be elected by the Chairmen of Cooperative Societies falling within the area of Anchalik Panchayat.	Chairmen of Cooperative Central Banks falling within the area of Mohkuma Parishad (non-voting).
3.	Bihar	—	(*i*) Three representatives of Cooperative Societies having their office in the Block (other than a Central Cooperative Bank) consisting of :— (*a*) a representative of the multi-purpose and Cane Growers societies to be elected by Secretaries. (*b*) a representative of the Cooperative Societies other than multi-purpose and Cane Growers' Cooperative Societies and Vyapar Mandal to be elected by the Secretaries. (*c*) One member of managing committee of Vyapar Mandal in the block to be elected by the Managing Committee. (*ii*) One member of managing committee of Central Cooperative Bank to be elected by the managing committee.	Two persons elected by an electoral college of members of the managing committees of all Central Cooperative Banks from themselves.

APPENDIX XIV—*contd.*

(1)	(2)	(3)	(4)	(5)
4.	Gujarat . . .	—	Members elected by the Chairmen of Cooperative societies in a Taluk from among themselves (their number may be nearly 1/10 of *ex-officio* members of Taluk Panchayat).	
5.	Jammu & Kashmir .	—	—	—
6.	Kerala . . .	—	—	—
7.	Madhya Pradesh .	1 Chairman of Cooperative Societies coopted if he is not elected.	1 representative of cooperative Societies coopted by the Janapada Panchayat.	1 representative of cooperative institution coopted by Zila Panchayat.
8.	Madras . .	—	—	Presidents of Cooperative Central Banks in the district.
9.	Maharashtra . .	—	(*i*) Chairman of a Cooperative Society conducting purchases and sale of agricultural products in the block as the Government may specify (associate member). (*ii*) Chairman of a Cooperative Society relating to Agriculture (other than (*i*) above, coopted by Panchayat Samiti (associate member).	Chairmen of 5 Federal Cooperative Societies in the district, dealing with the following as State Government may specify by issue of notification: (to be associate councillors). (*i*) Credit. (*ii*) Land Development. (*iii*) Marketing. (*iv*) Industrial Cooperatives. (*v*) Cooperative Training or Education.
10.	Mysore	—	—	—
11.	Orissa . . .	—	One employee of Cooperative Department, nominated by Government (non-voting).	Presidents of Cooperative Central Banks in the district.
12.	Punjab . . .	—	2 members representing cooperative societies and 1 member representing market committees in the Block, elected by members of such bodies from amongst themselves.	—

13. Rajasthan . .	Presidents of all service cooperative societies in the Panchayat Circle (associate members).	(i) 1 representative elected by the Chairmen of service Cooperative Societies in the Block from amongst themselves (associate member). (ii) 1 representative elected by the Chairmen of Cooperative Societies (other than service and marketing) from amongst themselves (associate member). (iii) Chairmen of Marketing Cooperative Societies if any, having area of operation in the block.	(i) President of Central Cooperative Bank (associate member). (ii) Chairman of District Cooperative Union (associate member).
14. Uttar Pradesh .	—	2—5 representatives as State Govt. may fix, of the cooperative societies or groups thereof as have their registered offices within the Khand.	(i) The Managing Director of District Cooperative Bank, or where there are more than one district cooperative banks. the Managing Director of such Bank as may be nominated by Govt. In case there is no such bank in a district, a representative of U.P. Cooperative Bank to be chosen by its Board of Directors. (ii) A representative of District Cooperative Federation to be chosen by its Board of Directors from amongst the members of the Board. (iii) A representative of such Cooperative Society/Societies in the District as the State Govt. may decide having regard to its/their usefulness, or their activity in the district. (iv) A representative of Cane Unions in the district.
15. West Bengal . .	—	—	—

APPENDIX XV

Representation to Specialist in Panchayati Raj Bodies

Sl. No.	State	Panchayat Samiti	Zila Parishad
(1)	(2)	(3)	(4)
1.	Andhra Pradesh	2 persons interested in Rural Development.	—
2.	Assam	—	—
3.	Bihar	2 persons with experience in administration, public life and rural development.	—
4.	Gujarat	2 social workers with experience in rural development—coopted.	2 persons with experience in education—coopted.
5.	Jammu & Kashmir	—	—
6.	Kerala	—	—
7.	Madhya Pradesh	—	—
8.	Madras	—	—
9.	Maharashtra	—	—
10.	Mysore	—	—
11.	Orissa	—	—
12.	Punjab	—	—
13.	Rajasthan	—	—
14.	Uttar Pradesh	2 persons interested in planning and development—coopted.	Persons not exceeding 3 to be chosen by State Govt. from among persons engaged in social, cultural, literary and professional activities.
15.	West Bengal	2 persons who have knowledge and experience in social work or rural development—coopted.	President of District School Board is *ex-officio* member.

APPENDIX XVI

Official Members in Panchayati Raj Institutions.

Sl. No.	State	Panchayat Samitis	Zila Parishads
(1)	(2)	(3)	(4)
1.	Andhra Pradesh	—	District Collector (with right to vote).
2.	Assam	Such officers as may be appointed by the Government.	Dy. Commissioner and S.D.O. and such other officers as are appointed by the Government as *ex-officio* members—(with no right to vote or hold office).
3.	Bihar	—	—
4.	Gujarat	Mamlatdars and Mahalkaries (associate members).	District Collector (associate member).
5.	Jammu & Kashmir	—	—
6.	Kerala	—	—
7.	Madhya Pradesh	—	District officers representing Public Health, Engineering, Education, Agriculture, Veterinary and other development Departments (with no right to vote).
8.	Madras	—	(*i*) District Collector (Chairman). (*ii*) Such officers connected with Planning & Development as may be nominated by Government.
9.	Maharashtra	—	—
10.	Mysore	—	(*i*) Deputy Commissioner (Chairman). (*ii*) Such other officers (not exceeding 15) nominated by Government.
11.	Orissa	B.D.O. and one officer from each of the Development Departments and Revenue Department (with no right to vote).	Collector and other District officers and S.D.O.s (with no right vote).
12.	Punjab	B.D.O. and S.D.Os. as ex-officio members (with no right to vote).	Deputy Commissioner (with no right to vote).
13.	Rajasthan	S.D.O. (with no right to vote).	District Development Officer (with no right to vote).
14.	Uttar Pradesh	—	—
15.	West Bengal	B.D.O. (associate member).	All S.D.Ms. and District Panchayat Officer (associate member).

APPENDIX XVII

Quorum required for meeting of Panchayati Raj Bodies

Sl. No.	State	Gram Panchayat	Panchayat Samitis	Zila Parishads
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	1/3rd of the total number of members of Gram Panchayat constitute the quorum.	1/3rd of the total member of Panchayat Samitis.	1/3rd of the total members of Zila Parishad.
2.	Assam	1/3rd of the total members of Gaon Panchayat.	1/3rd of the total number of members of Anchalik Panchayat form the quorum.	1/3rd of the total members of Mohkuma Parishad.
3.	Bihar	Not specified in the Act.	Not specified in the Act.	Not. specified in the Act.
4.	Gujarat	1/2 of the total number of the members of the Gram Panchayat including Sarpanch and the Up-sarpanch.	(*i*) 1/5th of the total number of members where the total number of members entitled to vote does not exceed 50. (*ii*) 11 or 1/6th of the total number of members whichever is greater, if the total number of members is between 51—80. (*iii*) 12 or 1/8th of the total of members whichever is greater where the total number of members is between 81—120. (*iv*) 13 or 1/10 of the total number of members, where the number of members exceeds 120.	Same as in Col. 3.
5.	Jammu & Kashmir	(*i*) 1/3rd of the total members of Village Panchayat, in case of ordinary meetings. (*ii*) 1/2 of the total members of Village Panchayat in case of special meetings.	—	

6. Kerala	(i) ⅓rd of the total members of the Panchayats in case of ordinary meetings.	—	—
	(ii) ½ of the total members of Panchayats in case of special meetings.	—	—
7. Madras	⅓rd of the total number of members of the Panchayat.	⅓rd of the total members of Panchayat Union Council.	—
8. Madhya Pradesh	½ of the total members of Gram Panchayat. In case of adjourned meetings quorum required is 1/5th of the total number of Panches.	½ of the total members of Janapada Panchayat.	½ of the total members of non-official members of Zila Parishads.
9. Maharashtra	⅓rd of the total number of members of Village Panchayat.	⅓rd of the total number of members of Panchayat Samitis.	⅓rd of the total number of members of Zila Parishad.
10. Mysore	½ of the total number of members of Panchayats.	⅓rd of the total number of members of Taluka Board.	—
11. Orissa	⅓rd of the total number of members of Gram Panchayat.	⅓rd of the total number of members on rolls of Panchayat Samitis.	⅓rd of the total number of members on rolls of Zila Parishad.
12. Punjab	Three panches form a quorum.	(i) 3rd of the members actually serving on the Panchayat. Samiti at ordinary meetings. (ii) 1/2 of the members, if it is special meeting.	⅓rd of the members actually serving on the Zila Parishad.
13. Rajasthan	⅓rd of the total number of members of Panchayat, including Sarpanch constitute the quorum.	⅓rd of the total number of members on rolls of Panchayat Samitis.	⅓rd of the total number of members on the rolls of Zila Parishad.
14. Uttar Pradesh	⅓rd of the total number of members of Gram Panchayats.	Prescribed by rules.	Prescribed by rules.
15. West Bengal	⅓rd of the total number of members of Gram Panchayat.	⅓rd of the total number of members of Anchalik Parishad.	⅓rd of the total number of members of Zila Parishad.

APPENDIX XVIII

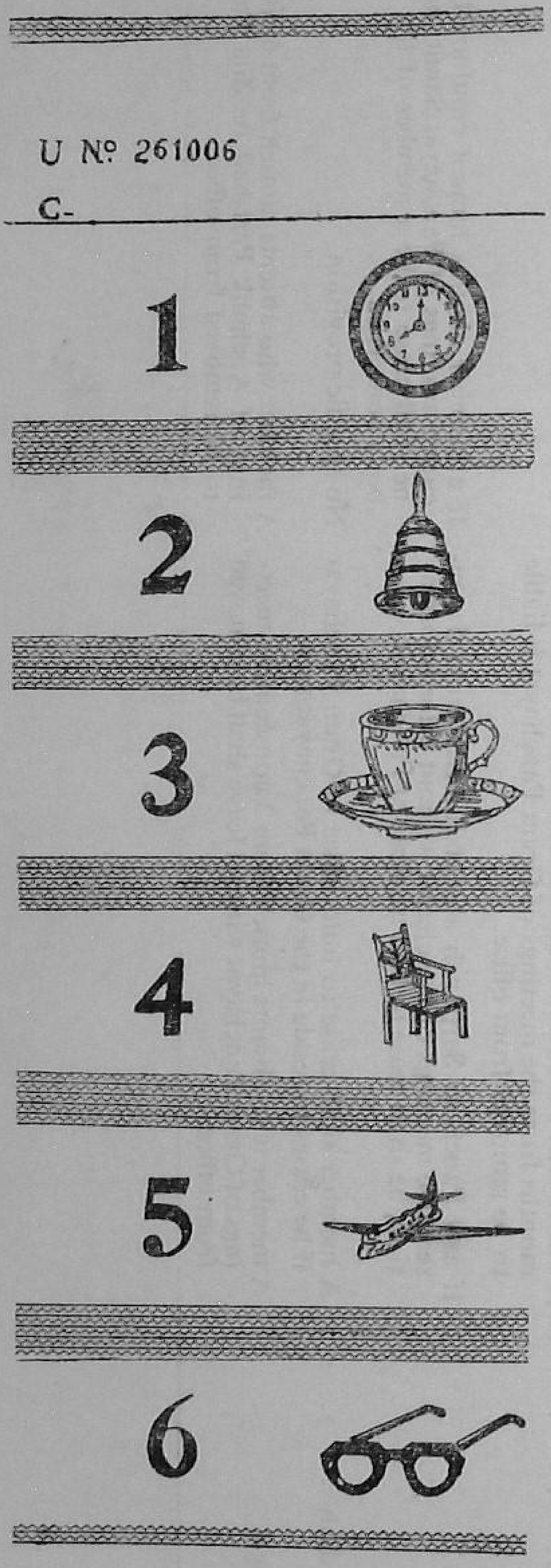
Penalty for continuous absence from meetings of Panchayati Raj Bodies

Sl. No.	State	Panchayat	Panchayat Samiti and Zila Parishad
(1)	(2)	(3)	(4)
1.	Andhra Pradesh	A member who absents himself from the meetings of Gaon Panchayat for 3 consecutive months, shall cease to be a member of Gaon Panchayat.	A member who absents himself from 3 or more consecutive meetings of Panchayat Samiti or Zila Parishad held within a period of not less than six months from the date of commencement of his term of the last meeting he attends, shall cease to be a member of Panchayati Raj Body concerned.
2.	Assam	If a member absents himself from 3 consecutive meetings of Gaon or Anchalik Panchayat or Mohkuma Parishad, he shall cease to be a member of such body.	—
3.	Bihar	A person who absents himself for 180 days in aggregate, in a year, shall cease to hold office in Panchayat.	A member who absents himself from the 4 consecutive meetings of Panchayat Samiti or Zila Parishad shall cease to be a member of the Panchayati Raj Body concerned.
4.	Gujarat	Any member of Gaon/Nagar Panchayat who absents himself from meetings continuously for more than 3 months, without leave shall cease to be a member of Panchayat.	If a member absents himself for more than 4 consecutive months from the meetings of Taluka or District Panchayat, he shall cease to be a member of the Panchayat.
5.	Jammu & Kashmir	A Panch or Sarpanch who absents himself from six successive meetings of Panchayat shall be removed from office.	—
6.	Kerala	If a member absents himself from the meetings of Gaon Panchayat for 3 consecutive months, he shall cease to be a member.	—
7.	Madhya Pradesh	A Panch who absents himself for more than 4 months continuously from the meetings of the Gram Panchayat without prior approval, is liable to be disqualified.	No specific provision.

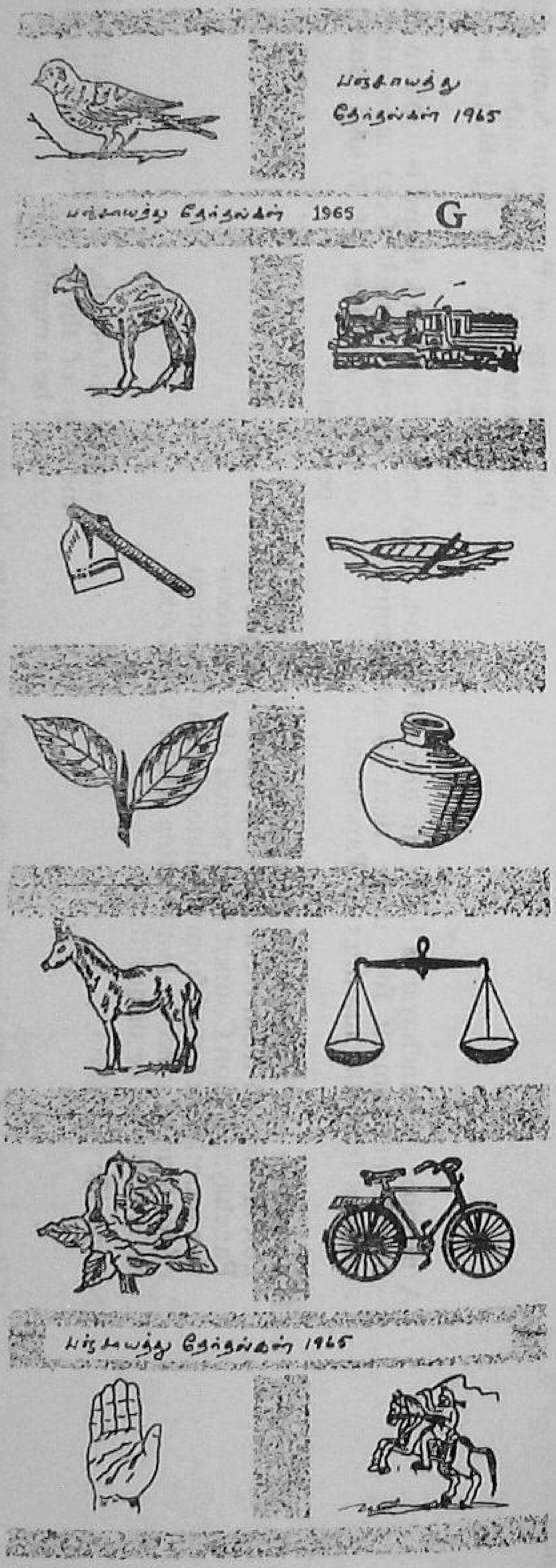
8. Maharashtra . . .	—	If a member of Panchayat Samiti absents himself from the meetings of Panchayat Samiti for a period of three consecutive months, without the permission of Panchayat Samiti, he is liable to be disqualified from membership.
9. Mysore . . .	A member of Panchayat is liable to disqualification, if he absents himself for more than 6 consecutive months from the meetings of Panchayat.	A member of Taluk Board is liable to disqualification, if he absents himself from more than 3 consecutive ordinary meetings of Taluka Board without prior permission.
10. Madras . . .	If a member of Panchayat or Panchayat Union Council absents himself from the meetings of the Parchayat or Panchayat Union Council for a period of 3 consecutive months reckoned from the date of commencement of his term of office or last meeting which he attended, he is liable to be disqualified.	
11. Orissa . . .	No specific provision.	If any elected member absents himself from 3 consecutive meetings of the Samiti without permission, he shall cease to be a member.
12. Punjab . . .	A Panch who absents himself for more than 2 consecutive months from the meetings of Gram Panchayat is liable to be removed from office.	No specific provision.
13. Rajasthan . . .	If any Panch or Sarpanch absents himself from 5 consecutive meetings of Panchayat without prior information, he shall cease to be a member of Panchayat.	If a member absents himself continously from 5 consecutive meetings of Panchayat Samiti or Zila Parishad he shall cease to be a member of the Panchayati Raj body concerned.
14. Uttar Pradesh . . .	A member shall cease to hold office in Gram Panchayat if he ceases to reside in the Gram Panchayat area.	No specific provision.
15. West Bengal . . .	A member who absents himself from 3 consecutive meetings of Gram Panchayat without leave shall be removed from office.	A member who absents himself from 6 consecutive meetings of Anchalik Parishad or Zila Parishad is liable to be removed from office.

APPENDIX XIX

SPECIMENS OF BALLOT PAPERS USED IN RECENT PANCHAYAT ELECTIONS IN ANDHRA PRADESH & MADRAS



ANDHRA PRADESH



MADRAS

L2CD&C/65—5000—26-5-65—GIPF.

NISTRY

PRINTED IN INDIA BY THE MANAGER, GOVERNMENT OF INDIA PRESS,
FARIDABAD, 1965